



UNITED STATES DISTRICT COURT
Southern District of Indiana

Laura A. Briggs, Clerk of Court

Birch Bayh Federal Building
& U.S. Courthouse, Room 105
46 East Ohio Street
Indianapolis, IN 46204
(317) 229-3700

U.S. Courthouse, Room 104
921 Ohio Street
Terre Haute, IN 47807
(812) 231-1840

Winfield K. Denton Federal Building
& U. S. Courthouse, Room 304
101 NW Martin Luther King Blvd.
Evansville, IN 47708
(812) 434-6410

Lee H. Hamilton Federal Building
& U.S. Courthouse, Room 210
121 West Spring Street
New Albany, IN 47150
(812) 542-4510

August 24, 2015

MATTHEW P. BROOKMAN
UNITED STATES ATTORNEYS OFFICE – EV
101 NW Martin Luther King, Jr. Blvd.
Suite 250
Evansville, IN 47708

WILLIAM H. DAZEY
INDIANA FEDERAL COMMUNITY DEFE
111 Monument Circle
Suite 2150
Indianapolis, IN 46204

RE: UNITED STATES OF AMERICA v. MARK WHITE, et al

CAUSE NO: 1:98-cr-00038-LJM-MJD-3

Dear Appellant and Appellee:

Please be advised that the Notice of Appeal filed in 1:98-cr-00038-LJM-MJD-3 has been forwarded to the United States Court of Appeals for the Seventh Circuit. The Clerk of the Seventh Circuit will assign an appellate case number, docket the appeal, and notify case participants of the Seventh Circuit case number assigned to this matter.

Filing a “Designation of Record” in the U.S. District Court case helps ensure that the appropriate documents (*e.g.*, pleadings and attachments, briefs, exhibits) are effectively transmitted to the Seventh Circuit. A copy of the docket sheet in this case has been included for your convenience. The docket sheet may be annotated (by circling docket numbers, or highlighting electronically) to identify the docket entries that are to be included in the appellate record, then attached as an exhibit to the Designation of Record. The designation may also simply list the docket entry numbers (all attachments to each entry will be included) along with a description of the designated documents.

Please review [Southern District of Indiana Local Rule 76-1](#) and [Seventh Circuit Rule 10](#) (enclosed) for guidance regarding the designation of a record, and comply with the provisions of [Federal Rule of Civil Procedure 5](#) when filing the designation.

Please contact the Clerk’s office with any questions or concerns.

Sincerely,
Laura A. Briggs,
Clerk of Court

By Maggie Gilstrap, Deputy Clerk
812-542-4510

Selected Rules for Reference

Local Rule 76-1 - Designating Additional Items For Record on Appeal

An appellant designating items for the record on appeal under Circuit Rule 10(a) must serve a proposed joint designation on the appellee with the notice of appeal. The parties must then confer and, if they agree, prepare a joint designation, highlighting those entries on the court's docket sheet if it is practical to do so. The joint designation must be filed with the clerk within 14 days after the notice of appeal is filed. If the parties cannot reach agreement on a joint designation, each party must submit a separate designation within 14 days after filing the notice of appeal.

NOTE: The complete Local Rules for the U.S. District Court, Southern District of Indiana, are available at: <http://www.insd.uscourts.gov/local-rules>

CIRCUIT RULE 10. Preparation of Record in District Court Appeals

(a) *Record Preparation Duties.* The clerk of the district court shall prepare within 14 days of filing the notice of appeal the original papers, transcripts filed in the district court, and exhibits received or offered in evidence (with the exceptions listed below). The transcript of a deposition is "filed" within the meaning of this rule, and an exhibit is "received or offered," to the extent that it is tendered to the district court in support of a brief or motion, whether or not the rules of the district court treat deposition transcripts or exhibits as part of the record. These materials may be designated as part of the record on appeal without the need for a motion under Fed. R. App. P. 10(e). Counsel must ensure that exhibits and transcripts to be included in the record which are not in the possession of the district court clerk are furnished to the clerk within fourteen days after the filing of the notice of appeal. The following items will not be included in a record unless specifically requested by a party by item and date of filing within fourteen days after the notice of appeal is filed or unless specifically ordered by this court:

- briefs and memoranda,
- notices of filings,
- subpoenas,
- summonses,
- motions to extend time,
- affidavits and admissions of service and mailing,
- notices of settings,
- depositions and notices, and
- jury lists.

(b) *Correction or Modification of Record.* A motion to correct or modify the record pursuant to Rule 10(e), Fed. R. App. P., or a motion to strike matter from the record on the ground that it is not properly a part thereof shall be presented first to the district court. That court's order ruling on the motion will be transmitted to this court as part of the record.

(c) *Order or Certification with Regard to Transcript.* Counsel and court reporters are to utilize the form prescribed by this court when ordering transcripts or certifying that none will be ordered. For specific requirements, see Rules 10(b) and 11(b), Fed. R. App. P.

(d) *Ordering Transcripts in Criminal Cases.*

(1) *Transcripts in Criminal Justice Act Cases.* At the time of the return of a verdict of guilty or, in the case of a bench trial, an adjudication of guilt in a criminal case in which the defendant is represented by counsel appointed under the Criminal Justice Act (C.J.A.), counsel for the defendant shall request a transcript of testimony and other relevant proceedings by

completing a C.J.A. Form No. 24 and giving it to the district judge. If the district judge believes an appeal is probable, the judge shall order transcribed so much of the proceedings as the judge believes necessary for an appeal. The transcript shall be filed with the clerk of the district court within 40 days after the return of a verdict of guilty or, in the case of a bench trial, the adjudication of guilt or within seven days after sentencing, whichever occurs later. If the district judge decides not to order the transcript at that time, the judge shall retain the C.J.A. Form No. 24 without ruling. If a notice of appeal is filed later, appointed counsel or counsel for a defendant allowed after trial to proceed on appeal in forma pauperis shall immediately notify the district judge of the filing of a notice of appeal and file or renew the request made on C.J.A. Form No. 24 for a free transcript.

(2) *Transcripts in Other Criminal Cases.* Within 14 days after filing the notice of appeal in other criminal cases, the appellant or appellant's counsel shall deposit with the court reporter the estimated cost of the transcript ordered pursuant to Rule 10(b), Fed. R. App. P., unless the district court orders that the transcript be paid for by the United States. A non-indigent appellant must pay a pro rata share of the cost of a transcript prepared at the request of an indigent co-defendant under the Criminal Justice Act unless the district court determines that fairness requires a different division of the cost. Failure to comply with this paragraph will be cause for dismissal of the appeal.

(e) *Indexing of Transcript.* The transcript of proceedings to be transmitted to this court as part of the record on appeal (and any copies prepared for the use of the court or counsel in the case on appeal) shall be bound by the reporter in a volume or volumes, with the pages consecutively numbered throughout all volumes. The transcript of proceedings, or the first volume thereof, shall contain a suitable index, which shall refer to the number of the volume as well as the page, shall be cumulative for all volumes, and shall include the following information:

(1) An alphabetical list of witnesses, giving the pages on which the direct and each other examination of each witness begins.

(2) A list of exhibits by number, with a brief description of each exhibit indicating the nature of its contents, and with a reference to the pages of the transcript where each exhibit has been identified, offered, and received or rejected.

(3) A list of other significant portions of the trial such as opening statements, arguments to the jury, and instructions, with a reference to the page where each begins.

When the record includes transcripts of more than one trial or other distinct proceeding, and it would be cumbersome to apply this paragraph to all the transcripts taken together as one, the rule may be applied separately to each transcript of one trial or other distinct proceeding.

(f) *Presentence Reports.* The presentence report is part of the record on appeal in every criminal case. The district court should transmit this report under seal, unless it has already been placed in the public record in the district court. If the report is transmitted under seal, the report may not be included in the appendix to the brief or the separate appendix under Fed. R. App. P. 30 and Circuit Rule 30. Counsel of record may review the presentence report at the clerk's office but may not review the probation officer's written comments and any other portion submitted in camera to the trial judge.

(g) *Effect of Omissions from the Record on Appeal.* When a party's argument is countered by a contention of waiver for failure to raise the point in the trial court or before an agency, the party opposing the waiver contention must give the record cite where the point was asserted and also ensure that the record before the court of appeals contains the relevant document or transcript.

NOTE: The complete **Federal Rules of Appellate Procedure & Rules of the 7th Circuit Court of Appeals** are available at: <http://www.ca7.uscourts.gov/Rules/Rules/rules.pdf>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA

v.

MARK A. WHITE C037

FILED
DISTRICT COURT
INDIANAPOLIS, IN
2015 AUG 26 4:38 PM
CLERK
LAURA A. BRUCE
CLERK

NOTICE OF APPEAL.

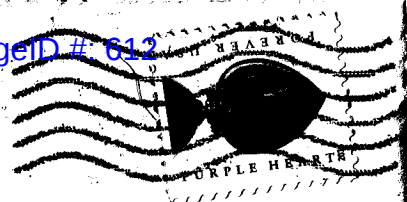
I WOULD LIKE TO APPEAL THE ORDER
DENYING MY 782 MOTION AND MY
MOTION TO RECONSIDER ON THE GROUNDS
OF THE WEIGHT OF DRUGS ATTRIBUTABLE TO WHITE.
DEFENDANT WHITE ARGUES THAT HE IS NOT
A LEADER OR ORGANIZER AND SHOULD NOT
BE HELD ACCOUNTABLE FOR THE ENTIRE 500 KILO GRAMS
WHEN THE DISTRICT COURT HAS GIVEN OTHER CO-DEFENDANTS
INDIVIDUAL & DRUG AMOUNTS. SO I WOULD LIKE
TO CHALLENGE THE FINDING OF FACTS.

Respectfully Submitted
Mark A. White
8.19.2015

MARK White
05671028
P.O. Box 33
Terre Haute, IN
47808

INDIANAPOLIS IN 460

20 AUG 2015 PM 1 L

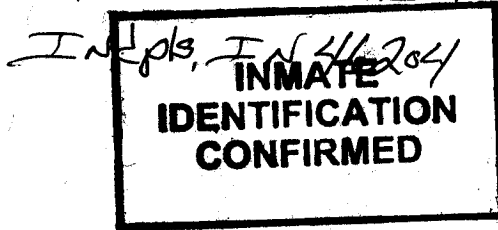


RECEIVED

AUG 21 2015

U.S. CLERK'S OFFICE
INDIANAPOLIS, INDIANA

CLERK OF The U.S.
District Court
46 EAST OHIO STREET



Legal Mail

C

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America

v.

Mark White

Case No: 1:98CR00038-003

USM No: 05671-028

Date of Original Judgment: 12/10/1999

Date of Previous Amended Judgment: 06/13/2003

(Use Date of Last Amended Judgment if Any)

Pro Se

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

(Complete Parts I and II of Page 2 when motion is granted)

Due to the amount of cocaine and cocaine base involved in his case, Mr. White's guideline range was not lowered by the two-level reduction to the base offense level of drug offenses. As such, he is not eligible for a reduction in sentence pursuant to Amendment 782.



Except as otherwise provided, all provisions of the judgment dated _____ shall remain in effect.

IT IS SO ORDERED.

Order Date: 07/14/2015

Effective Date: _____
(if different from order date)

LARRY J. MCKINNEY, JUDGE
United States District Court
Southern District of Indiana

Distribution:

Mark White
Reg. No. 05671-028
F.C.I. Terre Haute
P.O. Box 33
Terre Haute, IN 47808

Melanie Conour
UNITED STATES ATTORNEY'S OFFICE
melanie.conour@usdoj.gov

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 1:98-cr-00038-LJM-MJD
)	
MARK WHITE (03),)	
)	
Defendant.)	

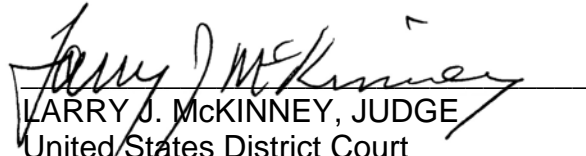
ORDER DENYING MOTION TO RECONSIDER

Defendant Mark White ("Defendant") has moved for reconsideration of this Court's Order denying his Motion for Reduction in Sentence pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 782 to the U.S. Sentencing Commission Guidelines ("782 Motion"). In his motion to reconsider, Docket No. 56, Defendant contends that, contrary to the Court's conclusion and the United States of America's (the "Government's") position on the issue, the drug weight attributed to him was incorrect and the Court should recalculate that weight pursuant to *United States v. Duncan*, 639 F.3d 764, 767-68 (7th Cir. 2011). Dkt. No. 56 at 8. Defendant argues that he was not a leader or organizer of the conspiracy; therefore, the Court should recalculate the drug weight attributable to him like it did for his co-defendants Dennis Jones and Elis Walker. Dkt. No. 56 at 9.

A motion for reconsideration is "valuable" when "the Court has patently misunderstood a party, or has made a decision outside the adversarial issues presented to the Court by the parties, or has made an error not of reasoning but of apprehension." *Bank of Waunakee v. Rochester Cheese Sales, Inc.*, 906 F.2d 1185, 1191 (7th Cir. 1990). Defendant makes no showing here that it has misunderstood his arguments in the past

or made its decisions outside the issues that were presented at his original sentencing, his sentencing on remand or in his original 782 Motion. For these reasons, Defendant's Motion to Reconsider, Docket No. 56, is **DENIED**.

IT IS SO ORDERED this 12th day of August, 2015.


LARRY J. McKINNEY, JUDGE
United States District Court
Southern District of Indiana

Distribution:

Mark A. White
Reg. No. 05671-028
FCI – Terre Haute
P.O. Box 33
Terre Haute, IN 47808

Melanie C. Conour
UNITED STATES ATTORNEY'S OFFICE
melanie.conour@usdoj.gov

UNITED STATES DISTRICT COURT SOUTHERN INDIANA

USA -VS- WHITE, MARK

IP98-CR-0038-03-M/D

FILED	CLOSED	OFFENSE	NO. DEFTS	MAG CASE NO.	JUDGE	MAGISTRATE
03/10/1998	12/14/1999	Felony	16	N/A	MCKINNEY	DINSMORE

USA
plaintiff

MELANIE CONOUR
UNITED STATES ATTORNEY'S OFFICE
10 WEST MARKET STREET, SUITE 2100
INDIANAPOLIS, IN 46204
(317)226-6333

V.
WHITE, MARK
defendant

WILLIAM H DAZEY JR
INDIANA FEDERAL COMMUNITY DEFENDERS
111 MONUMENT CIRCLE, #752
INDIANAPOLIS, IN 46204
(317)383-3520

NO.		COUNTS	OFFENSE
1	1		CONTROLLED SUBSTANCE - SELL, DISTRIBUTE, OR DISPENSE
2	2		TAMPER W/WITNESS, VICTIM, INFORMANT (IF DEATH RESULTS)
3	3		RETALIATING AGAINST WITNESS, VICTIM
4	4		VIOLENT CRIME/DRUGS/MACHINE GUN
5	7,8		MONEY LAUNDERING - FRAUD, OTHER
6	22		MONEY LAUNDERING - CONTROLLED SUBSTANCE - SELL/DISTR/DISP
7	13		MONEY LAUNDERING - FRAUD, OTHER

DATE	PROCEEDINGS
03/10/1998	INDICTMENT FILED eod 03/12/98 [JMC]
03/10/1998	CRIM INFO SHEET eod 03/12/98 [JMC]
03/10/1998	PRAECIPE for warrant eod 03/12/98 [JMC]
03/10/1998	WARRANT ISSUED eod 03/12/98 [JMC]
03/12/1998	NGPL ORDER ASSIGNS JURY TRIAL to 05/11/98 at 09:30AM Room 243 (SHD) c/m eod 03/12/98 [JMC]
03/13/1998	REASSIGNED from Judge DILLIN to Judge MCKINNEY eod 03/13/98 [DLD]

04/22/1998 COURTROOM MINUTES of a hearing held before Magistrate Foster eod 04/22/98 [CBU]

04/22/1998 DEFT APPEARS IN PERSON AND w/retained counsel Joe Cleary eod 04/22/98 [CBU]

04/22/1998 INITIAL APPEARANCE ON INDICTMENT/INFORMATION eod 04/22/98 [CBU]

04/22/1998 APPEARANCE FOR THE USA BY AUSA Melanie Conour eod 04/22/98 [CBU]

04/22/1998 USPO Represented by Thomas Parker eod 04/22/98 [CBU]

04/22/1998 CHARGES & RIGHTS and penalties were read and explained. Deft previously detained on IP97-144CR M/F-Detention is moot issue at this time. Deft waives formal arraignment. eod 04/22/98 [CBU]

04/22/1998 DEFT REMANDED TO CUSTODY of the USMS pending further proceedings before this Court eod 04/22/98 [CBU]

04/22/1998 INDICTMENT UNSEALED at this time. eod 04/22/98 [CBU]

04/23/1998 APPEARANCE of Robert W Hammerle and Joseph M Cleary on behalf of DEFT c/s eod 04/23/98 [SWM]

04/24/1998 USM RETURN eod 04/27/98 edited 06/09/99 [DLD]

05/05/1998 ORDER GRANTS the motion for cont. eod 05/05/98 [DLD]

05/05/1998 ORDER VACATES the trial date of May 11, 1998. eod 05/05/98 [DLD]

05/05/1998 ORDER re-sets the Trial by Jury on Monday, July 27, 1998 at 9:30 a.m. cm LJM eod 05/05/98 [DLD]

05/05/1998 MOTION TO CONTINUE trial date. cs PLTF eod 05/06/98 [DLD]

06/19/1998 ENTRY ASSIGNS CONF to 06/24/98 at 04:00PM Room 204 (LJM) c/m Mr. DuPonte shall be permitted to participate by telephone by calling the Court. eod 06/22/98 [DLD]

06/24/1998 ENTRY - Counsel appear for attorney conference which is continued. eod 06/25/98 [SJD]

06/24/1998 ENTRY ASSIGNS CONF to 07/16/98 at 02:30PM Room 204 (LJM) c/m Mr. DuPonte shall be permitted to participate by telephone. eod 06/25/98 [SJD]

06/30/1998 SUPERSEDING INDICTMENT eod 06/30/98 [DLD]

06/30/1998 CRIM INFO SHEET eod 06/30/98 [DLD]

06/30/1998 PRAECIPE for WARRANT eod 06/30/98 [DLD]

07/01/1998 WARRANT ISSUED eod 07/01/98 [DLD]

06/30/1998 SUMMARY of Superseding Indictment. eod 07/01/98 [DLD]

06/30/1998 Attachment to Indictment Cover Sheet eod 07/01/98 [DLD]

07/01/1998 WARRANT ISSUED eod 07/01/98 [DLD]

07/07/1998 MOTION TO UNSEAL the Superseding Indictment returned on 6/30/98 cs/GOVT eod 07/07/98 [SJD]

07/07/1998 INDICTMENT UNSEALED - (Superseding Indictment returned on 6/30/98) cm/SEB eod 07/07/98 [SJD]

07/08/1998 COURTROOM MINUTES of a hearing held before Mag. Judge Foster eod 07/08/98 [MHK]

07/08/1998 INITIAL APPEARANCE ON INDICTMENT/INFORMATION (Superseding) eod 07/08/98 [MHK]

07/08/1998 DEFT APPEARS IN PERSON AND with retained counsel Joe Cleary for Bob Hammerle eod 07/08/98 [MHK]

07/08/1998 CHARGES & RIGHTS and Penalties were read and explained. Def. waived formal arraignment. eod 07/08/98 [MHK]

07/08/1998 DEFT REMANDED TO CUSTODY of U. S. Marshals pending further proceedings before the Court. (KPF) eod 07/08/98 [MHK]

07/08/1998 USM RETURN eod 07/08/98 [DLD]

07/09/1998 USM RETURN eod 07/10/98 [DLD]

07/14/1998 USM RETURN eod 07/15/98 [DLD]

07/15/1998 MOTION to Withdraw as co-counsel Re: Robert W. Hammerle. cs DEFT eod 07/21/98 [DLD]

07/21/1998 ORDER grants the withdrawal of Robert W. Hammerle as co-counsel for DEFT. cm LJM eod 07/21/98 [DLD]

07/23/1998 ORDER VACATES the trial setting of July 27, 1998. eod 07/24/98 [DLD]

07/23/1998 ORDER RE-SET Jury Trial on Monday, August 31, 1998 at 9:30 a.m. in Courtroom 202, United States District Court. eod 07/24/98 [DLD]

08/10/1998 MOTION to Withdraw as Counsel for DEFT. cs eod 08/11/98 [DLD]

08/10/1998 ORDER - VACATES trial setting of 8/31/98 cm/LJM eod 08/11/98 [SJD]

08/10/1998 ORDER REASSIGNS JURY TRIAL to 01/25/99 at 09:30AM Room 202 (LJM) c/m eod 08/11/98 [SJD]

09/09/1998 MOTION to extend deadline to file pre-trial. cs DEFT eod 09/09/98 [DLD]

09/09/1998 MOTION to join motions to sever filed by co-defts. cs DEFT eod 09/09/98 [DLD]

09/09/1998 MOTION to Join Motion to Appeal Magistrate's entry and order of detention pending trial. cs DEFT eod 09/09/98 [DLD]

09/09/1998 MOTION to re-file and incorporate previously filed motions. cs DEFT eod 09/09/98 [DLD]

09/10/1998 ORDER OVERRULES the Motion to Join the Motion of Co-Defendant Anthony Spradley to appeal

Magistrate's entry and order of detention pending trial. cm LJM eod 09/11/98 [DLD]

09/30/1998 ORDER GRANTS all parties in this cause of action to and including 10/25/98 to submit their Pre-Trial Motions. cm LJM eod 09/30/98 [DLD]

09/30/1998 ORDER OVERRULES DEFT'S Ellis Walker and William J. Gray's motion to suppress and bar testimony of Keith Cork, William Cox, Robert Johnson, Dwayne Gibson, William Coby and others and all other co-defts through said motions to suppress. cm LJM eod 09/30/98 [DLD]

10/05/1998 ORDER grants the withdrawal of Richard A. Jones. cm LJM eod 10/05/98 [DLD]

10/06/1998 MOTION - Petition to appeal Magistrate's entry and order of detention pending trial. cs DEFT eod 10/06/98 [DLD]

10/26/1998 ORDER OVERRULES all of the Singleton motions pending in this case. (SO) cm LJM eod 10/26/98 [DLD]

10/28/1998 ORDER OVERRULES deft Perkins' Motion to Strike aliases from the Indictment. None of the aliases are prejudicially inflammatory. They may be used only for witness identification. eod 10/29/98 [DLD]

10/28/1998 ORDER OVERRULES the Motions to Sever. None of the defts have shown actual prejudice. eod 10/29/98 [DLD]

10/28/1998 ORDER OVERRULES the Motions for Bill of Particulars. The Court finds that each deft is adequately informed of the nature of the charge against him with sufficient precision to enable him to prepare and to avoid or minimize prejudicial surprise at trial. cm LJM eod 10/29/98 [DLD]

11/02/1998 APPEARANCE of William H. Dazey, Jr. on behalf of the DEFT (White) eod 11/02/98 [DLD]

11/02/1998 CJA COUNSEL eod 11/02/98 [DLD]

11/17/1998 RESPONSE IN OPPOSITION to deft's Motion and Memorandum to bar prosecution or suppress evidence for outrageous governmental conduct and violations of due process. cs PLTF eod 11/17/98 [DLD]

11/24/1998 NOTICE - Partial Notice regarding expert witnesses. cs PLTF eod 11/24/98 [DLD]

12/01/1998 RESPONSE IN OPPOSITION to DEFT (Spradley's) Motion to Dismiss federal murder charges and related offenses for lack of federal jurisdiction, or in the alternative to sever federal murder charges and related offenses. cs PLTF eod 12/01/98 [DLD]

12/01/1998 MOTION to Compel Discovery. cs PLTF eod 12/02/98 [DLD]

12/02/1998 RESPONSE to DEFT (Spradley's) motion for grand jury testimony and previously undisclosed statement(s) of DEFT. cs PLTF eod 12/02/98 [DLD]

12/02/1998 RESPONSE IN OPPOSITION to DEFT (Spradley's) supplement and renewed motion and memorandum to bar prosecution or to suppress evidence for outrageous government misconduct and violations of due process. cs PLTF eod 12/02/98 [DLD]

12/04/1998 RESPONSE IN OPPOSITION to DEFT'S motion to determine the existence and identities of confidential informants or sources of information; and motion and supplement motion for order compelling production of Brady and Bagley materials (Impeachment Materials) cs PLTF eod 12/04/98 [DLD]

12/04/1998 RESPONSE IN OPPOSITION to DEFT (Spradley's) motion in the alternative to strike use of all non-discovered evidence at trial or dismiss prosecution for non-compliance with court's discovery order. cs PLTF eod 12/07/98 [DLD]

12/04/1998 RESPONSE IN OPPOSITION to DEFT (Spradley) motion in limine to strike certain inflammatory and prejudicial evidence, and Motion for specific notice regarding intent to introduce "Overt Act" evidence, pursuant to FRE 404(b). cs PLTF eod 12/07/98 [DLD]

12/08/1998 RESPONSE to deft's (Spradley) motion to suppress post-arrest statement by deft (Spradley) to state police officers. cs PLTF eod 12/08/98 [DLD]

12/08/1998 ENTRY ASSIGNS CONF to 12/16/98 at 10:00AM Room 204 (LJM) c/m Indianapolis attorneys are to attend in person. Frederick Mann and Michael R. DuPonte may participate telephonically. eod 12/08/98 [DLD]

12/16/1998 ENTRY - Attorney conference held. eod 12/16/98 [DLD]

12/17/1998 NOTICE - Amendment to partial notice regarding expert witnesses. cs PLTF eod 12/18/98 [DLD]

12/17/1998 NOTICE - Second Partial notice regarding expert witnesses. cs PLTF eod 12/18/98 [DLD]

12/29/1998 NOTICE - Third Partial Notice Regarding Expert Witnesses. c/s PLTF eod 12/29/98 [TMA]

12/30/1998 MOTION TO CONTINUE Pretrial Dates. c/s GOVT eod 12/30/98 [TMA]

01/08/1999 ORDER VACATES THE JURY Trial Date set for January 25, 1999 and this cause is re-set for Trial by Jury on Monday, March 8, 1999 at 9:30 a.m. cm LJM eod 01/08/99 [DLD]

01/08/1999 SEALED DOCUMENT - Response to DEFT (Anthony M. Spradley) Motions regarding impeachment materials and first motion in limine filed under seal. cs PLTF eod 01/08/99 [DLD]

01/12/1999 MOTION for an emergency protective order. cs PLTF eod 01/13/99 [DLD]

01/19/1999 ORDER that the defts not photocopy or duplicate, in whole or in part, any discovery materials, for purposes of providing said materials to any other individual or entity, including the defts. eod 01/19/99 [DLD]

01/19/1999 ORDER that the deft not attach, circulate, nor publish motions and orders of this Court which have been file under seal. eod 01/19/99 [DLD]

01/19/1999 ORDER that deft Spradley serve the government with all future pleadings by including the government on the certificate of service of any such pleadings, with the exception of ex parte filings. cm LJM eod 01/19/99 [DLD]

01/19/1999 NOTICE - Fourth Partial Notice regarding expert witnesses. cs PLTF eod 01/19/99 [DLD]

01/19/1999 RESPONSE IN OPPOSITION to DEFT (Spradley's) Franks' Motion and Motion to Suppress Fruits of Search conducted 07/03/97, pursuant to search warrant. cs PLTF eod 01/19/99 [DLD]

02/02/1999 ORDER GRANTS the Motion to Compel Discovery and defts are ordered to comply with such discovery on or before 02/17/99. cm LJM eod 02/02/99 [DLD]

02/02/1999 NOTICE - Fifth Partial Notice regarding expert witnesses. cs PLTF eod 02/02/99 [DLD]

- 02/02/1999 ORDER Grants the motion to continue the previously ordered pretrial dates. Extending deadline for disclosure of Jencks/Rule 26.2 statements to March 1, 1999 and sets schedule for pretrial disclosures by the government. Feb. 22, 1999, Notice of 404(b) evidence; Santiago Proffer to the Court; and Notice of Evidence pursuant to Fed.R. Evid. 609, March 1, 1999: Jencks/Rule 26.2 statements made available to depts; Motions in Limine filed. cm LJM eod 02/02/99 [DLD]
- 02/08/1999 RESPONSE IN OPPOSITION to deft Gray's Motion to Conduct independent DNA testing of hair and saliva, pursuant to R. 16(C) FRCP., and for order compelling government witnesses to submit hair and saliva samples. cs PLTF eod 02/08/99 [DLD]
- 02/16/1999 MOTION for transportation order for appearance at funeral public viewing. cs DEFT (Mark White) eod 02/16/99 [DLD]
- 02/17/1999 NOTICE TO COURT of Government's position regarding statement contained in Court's order of 02/12/99. cs PLTF eod 02/17/99 [DLD]
- 02/18/1999 ORDER OVERRULES the motion for transportation for appearance at funeral public viewing. cm LJM eod 02/18/99 [DLD]
- 02/22/1999 MOTION for a Protective Order. cs PLTF eod 02/22/99 [DLD]
- 02/25/1999 ENTRY ASSIGNS CONF to 03/01/99 at 08:30AM Room 204 (LJM) c/m Re: Attorney Conference eod 02/25/99 [DLD]
- 03/01/1999 ENTRY - Attorney conference held. eod 03/05/99 [DLD]
- 03/01/1999 ENTRY - The Court, on its own motion, VACATES the trial date of March 8, and resets this cause. eod 03/05/99 [DLD]
- 03/01/1999 ENTRY REASSIGNS JURY TRIAL to 03/22/99 at 09:30AM Room 202 (LJM) c/m eod 03/05/99 [DLD]
- 03/01/1999 ENTRY ASSIGNS CONF to 03/08/99 at 04:00PM Room 204 (LJM) c/m (Docket Entry only - no distribution) eod 03/05/99 [SJD]
- 03/22/1999 ORDER grants the Motion to Cont. filed by DEFT (Anthony Spradley) eod 03/22/99 [DLD]
- 03/22/1999 ORDER VACATES that the trial date of March 22, 1999. eod 03/22/99 [DLD]
- 03/22/1999 ORDER REASSIGNS JURY TRIAL to 07/06/99 at 09:30AM Room 202 (LJM) c/m eod 03/22/99 [DLD]
- 05/20/1999 ORDER - pending before the Court are motions for additional preemptory challenges. The Court will consider additional preemptory challenges a week before trial. cm LJM eod 05/20/99 [DLD]
- 05/20/1999 ORDER - Pending before the Court are various Motions to Sever. All are OVERRULED. The same reasons for denying previous motions remain. The dispute the various defendants have with the Government's proffer do not meet the Court's concerns about piecemeal trial of the various counts and individuals. cm LJM eod 05/20/99 [DLD]
- 06/01/1999 NOTICE - Supplemental Notice of Evidence pursuant to Fed. R. Evid. 609. cs PLTF eod 06/01/99 [DLD]
- 06/07/1999 ORDER ON INITIAL DETERMINATION OF ADMISSIBILITY of coconspirators' statements. The Court's initial determination is that the proffered statements are admissible against all defendants. cm/LJM eod 06/07/99 [SJD]

06/07/1999 ORDER - GRANTS Govt's Motion to Admit Out of Court Statements eod 06/07/99 [SJD]

06/07/1999 ORDER - DENIES Defendants' Motions in Limine (applicable to all pending motions in limine on the issue of admittance of out of court statements) cm/LJM eod 06/07/99 [SJD]

06/07/1999 ENTRY REASSIGNS JURY TRIAL to 07/07/99 at 09:30AM Room 202 (LJM) c/m The trial date of July 6, 1999 is VACATED. eod 06/08/99 [DLD]

06/07/1999 ENTRY ASSIGNS CONF to 06/24/99 at 02:30PM Room 202 (LJM) c/m Re: Attorney Conference eod 06/09/99 [DLD]

06/22/1999 Response in Opposition to DEFT (Gray's) Motion in Limine regarding Police Officer "Expert" testimony and supplemental notice regarding expert witnesses. cs PLTF eod 06/23/99 [DLD]

06/22/1999 Response to DEFT (Gray's) Motion to Reconsider. cs PLTF eod 06/23/99 [DLD]

06/22/1999 Response in Opposition to DEFT (Gray's) supplemental request for Voir Dire. cs PLTF eod 06/23/99 [DLD]

06/24/1999 MOTION to Correct Scrivener's error and to redact overt act in the Indictment. cs PLTF eod 06/25/99 [DLD]

06/24/1999 NOTICE of Tacit Admission. cs PLTF eod 06/25/99 [DLD]

06/24/1999 MOTION to Admit out of Court Statements pursuant to Fed. R. Evid. 804(b)(3) cs PLTF eod 06/25/99 [DLD]

06/25/1999 ORDER OVERRULES the DEFT (Gray's) Motion to Prohibit "Rogues Gallery" Chart. eod 06/25/99 [DLD]

06/25/1999 ORDER OVERRULES the DEFTS' Supplemental Request for Voir Dire. eod 06/25/99 [DLD]

06/25/1999 ORDER OVERRULES the DEFTS Motion in Limine regarding Police Officer "Expert" Testimony. eod 06/25/99 [DLD]

06/25/1999 ORDER OVERRULES the DEFTS' Motion to Reconsider and Request for More Specific Findings. eod 06/25/99 [DLD]

06/28/1999 ENTRY ASSIGNS CONF to 07/06/99 at 10:00AM Room 202 (LJM) c/m Re: Final Attorney Conference eod 06/28/99 [DLD]

06/28/1999 ORDER GRANTS the Motion of the United States to correct two scrivener's errors and to redact Count 1, Overt Act No. 2, from the superseding indictment. (SO) cm LJM eod 06/28/99 [DLD]

06/28/1999 ORDER that the DEFTS' request that the Government furnish a schedule of each day's expected witnesses is MOOT. The Government has indicated that it will file a complete list of those witnesses the morning of trial and will call the witnesses in the order they appear on that list and will notify defts' counsel if that should change. cm LJM eod 06/28/99 [DLD]

06/28/1999 NOTICE to the Court regarding pending matters. cs PLTF eod 06/28/99 [DLD]

06/30/1999 ORDER - GRANTS Govt's motion pursuant to F.R.C.P. 404(b) to introduce evidence of uncharged cocaine

transactions. cm/LJM eod 06/30/99 [SJD]

- 06/30/1999 ORDER on Personnel Records of Law Enforcement Witnesses cm/LJM eod 06/30/99 [SJD]
- 07/02/1999 ORDER that the Court, having considered the request of the DEFTS for increasing the number of peremptory challenges, now GRANTS the motion and increases the number of peremptory challenges from 10 to 20. cm LJM eod 07/02/99 [DLD]
- 07/06/1999 STIPULATIONS REGARDING VARIOUS GOVERNMENT'S EXHIBITS. cs PLTF eod 07/06/99 [DLD]
- 07/06/1999 STIPULATION - EXHIBIT NOS. 223, 224, 225, 234, 242, 245 AND 258. cs PLTF eod 07/06/99 [DLD]
- 07/06/1999 ORDER ON VARIOUS MOTIONS - Deft Gray's renewed motion to sever is DENIED; Deft Gray's Motion in Limine re: Terrance Pierce is OVERRULED; Deft Gray's Motion for additional recess is DENIED, the court does ORDER the govt to certify that no further Giglio, Brady or Kyles materials exists and further orders that the govt has a continuing duty to disclose such materials as it is discovered; Deft Gray's Motion in Limine re: plea agreements and statements is PARTIALLY GRANTED, any reference to polygraphs shall be redacted, the motion is OVERRULED in all other respects; deft Gray's Request for preliminary jury instructions is OVERRULED, Gray's proposed instruction will be given at the close of the case. Deft Spradley's Motion for continuance is OVERRULED; deft Spradley's Motion to strike aliases and references to "the baha/baja boyz" is PARTIALLY GRANTED; deft Spradley's Motion in limine to limit the court from referencing the cocaine subject of the alleged conspiracy as "crack" or "crack cocaine" eod 07/07/99 [PLM]
- 07/06/1999 ORDER (CONTINUATION) is GRANTED; the remaining portions of the Motion in Limine are OVERRULED. Deft Gray's Motion in limine or for redaction of improper material on exhibits IS TAKEN UNDER ADVISEMENT until such time as an attempt to introduce the written statement is made. LJM c/m eod 07/07/99 [PLM]
- 07/07/1999 VOIR DIRE QUESTIONS. cs PLTF eod 07/08/99 [DLD]
- 07/07/1999 ENTRY OVERRULES - In open court, DEFT William Grays moves orally to strike the jury panel in its entirety because of racial imbalance of the panel and the comment of a black juror that he knew DEFT (Spradley) and that it was in his (the juror's) best interest not to be on the jury. eod 07/08/99 [DLD]
- 07/07/1999 ENTRY - Counsel raised their objection to the Court that they are unaware of who was on the original jury panel and who was stricken and why they were stricken prior to the commencement of the trial. The Court, noting that similar motion was on file, relates that some of the original members of the panel had been stricken prior to commencement of the jury trial for hardship reasons, vacation reasons and illness. eod 07/08/99 [DLD]
- 07/07/1999 ENTRY - the DEFT Gray's objection to the presence of U.S. Marshals in the Courtroom is OVERRULED. eod 07/08/99 [DLD]
- 07/07/1999 ENTRY - DEFTS (Willie Boddie and Mark White) orally renew the motion to sever. Motion is DENIED for the same reasons entered by the Court previously. cm LJM eod 07/08/99 [DLD]
- 07/07/1999 TRIAL COMMENCES - Trial by Jury begins. Court adjourns to resume 07/08/99. eod 07/08/99 [DLD]
- 07/08/1999 COURTROOM MINUTES - Jury Trial continues. Court adjourns to resume 07/12/99 at 9:00 a.m. eod 07/08/99 [DLD]
- 07/08/1999 ENTRY and ORDER. DEFT Dennie Jones' oral motion for a mis-trial, or in the alternative, for additional strikes, is joined by all defts. Motion is DENIED by the Court for the reasons stated on the record. cm LJM

eod 07/08/99 [DLD]

07/08/1999 RESPONSE in opposition to deft Brown's Motion in Limine RE: 1.4166 grams of crack cocaine. c/s USA
eod 07/08/99 [PLM]

07/09/1999 ORDER GRANTS Motion to Admit Out-Of-Court Statements. (SO) cm LJM eod 07/10/99 [DLD]

07/12/1999 Submission of Additional out of Court Statements made by an unavailable witness pursuant to Federa Rule
of Evidence 804(b)(6). cs PLTF eod 07/12/99 [DLD]

07/12/1999 ENTRY - The Court hears argument on DEFTS (Anthony Spradley and Darren Browns') Motion to
Suppress. The motion is taken under advisement by the Court. eod 07/13/99 [DLD]

07/12/1999 ENTRY - Argument heard on Stephanie Johnson's Motion in Limine regarding evidence seized at the
residence at 2389 North Tibbs on 02/24/94. Motion is OVERRULED for reasons set forth on the open
record. eod 07/13/99 [DLD]

07/12/1999 ENTRY - Argument heard on Ellis Walker's Motion in Limine regarding a prior conviction of DEFT
Walker and items seized during the execution of a search warrant at 4345 North Winthrop Avenue on Feb.
9, 1993. Government advises the Court that it does not intend to introduce as evidence the prior conviction
and sentence of DEFT Walker. Motion is OVERRULED as to the items seized for reasons set forth on the
open record. eod 07/13/99 [DLD]

07/12/1999 ENTRY - Argument heard on Anthony Thompson's Motion in Limine regarding items seized during the
execution of a search warrant at the residence at 4339 North Crittendon Avenue on April 15, 1997, and
items seized during the execution of a search warrant at residence 5119 North Norwaldo Avenue on
January 10, 1997. Motion is joined by Thomas Alexander. Motion is OVERRULED for reasons set forth
on the open record. eod 07/13/99 [DLD]

07/12/1999 ENTRY - Arugment is heard on Darren Brown's Motion in Limine regarding items seized during a
01/28/93, traffic stop. Motion is taken under advisement. eod 07/13/99 [DLD]

07/12/1999 ENTRY - Argument heard on Darren Brown's Motion in Limine regarding items seized at the Dollar Inn,
Lafayette Road., on September 28, 1994. Motion is OVERRULED for reasons set fourth on the open
record. eod 07/13/99 [DLD]

07/12/1999 ENTRY - Anthony Spradley's motion in limine regarding Knoebel Homicide and Motion in Limine
regarding prior arrests of DEFT Spradley are GRANTED. eod 07/13/99 [DLD]

07/12/1999 ENTRY - DEFT William Gray orally moves for an in-camera review of statements of involvement and
financial information contained in pre-sentence reports completed on Government witnesses Terrence
Pierce, William Coby, Coy Elliott, James Douglas, Jandelyn Gates and Robert Johnson. The Court
GRANTS the motion to the extent of the pre-sentence reports that exist at this time. cm LJM eod 07/13/99
[DLD]

07/12/1999 COURTROOM MINUTES - Continuance of Jury Trial. Opening Statements by PLTF & DEFTS. Court
adjourns to resume 07/13/99 at 9:00 a.m. eod 07/13/99 [DLD]

07/13/1999 MOTION for Curative Instructions. cs PLTF eod 07/14/99 [DLD]

07/13/1999 COURTROOM MINUTES - Continuance of Jury Trial. Pltfs cont. w/evidence. Court adjourns to resume
07/14/99 at 9:00 a.m. eod 07/14/99 [DLD]

07/14/1999 ORDER DENIES the DEFTS (Spradley and Brown) Motion to Suppress and the Motion in Limine to

exclude, including currency and statements allegedly made by the DEFTS, obtained by law enforcement officers during and after a search of the DEFTS' bag on July 20, 1992 at the Syracuse, New York, airport. cm LJM eod 07/14/99 [DLD]

- 07/14/1999 COURTROOM MINUTES - Cont. of jury trial. Pltf. cont. w/evidence. Court adjourns to resume 07/15/99 at 9:00 a.m. eod 07/15/99 [DLD]
- 07/14/1999 ORDER - effective this date, IT IS HEREBY ORDERED that the United States District Court reimburse the 12 jurors and 4 alternates in this case, parking fees in the amount of \$2.00 per day. LJM eod 07/15/99 [DLD]
- 07/14/1999 MOTION for In Camera Inspection of Department of Corrections Records of Robert Johnson. cs PLTF eod 07/15/99 [DLD]
- 07/14/1999 ORDER - The Indiana Dept. of Corrections shall provide this Court at the earliest possible time, IN CAMERA, any and all records, including medical records, or copies thereof, pertaining to Robert Johnson, 07/23/65, and inmate between 1989 and 1993. cm LJM eod 07/15/99 edited 07/16/99 [DLD]
- 07/13/1999 ENTRY - DEFTS (Anthony Spradley and Darren Brown's) Motion to Suppress, considered to also be a motion in limine is OVERRULED. eod 07/15/99 [DLD]
- 07/13/1999 ENTRY - DEFT (Thomas Alexander's) Motion in Limine regarding a prior conviction of DEFT Alexander is OVERRULED by the Court for the same reasons set forth in regard to DEFT Darren Brown's motion in limine. eod 07/15/99 [DLD]
- 07/13/1999 ENTRY - the Court OVERRULES Darren Brown's Motion in Limine, previously taken under advisement, regarding items seized during January 28, 1993, traffic stop for reasons set forth on the open record. eod 07/15/99 [DLD]
- 07/13/1999 ENTRY - Government's oral motion to separate witness is GRANTED. eod 07/15/99 [DLD]
- 07/13/1999 ENTRY - the Government's motion in limine filed previously with the Court regarding this shooting of Government witness Robert Johnson is OVERRULED for reasons set forth on the open record. eod 07/15/99 [DLD]
- 07/13/1999 ENTRY - Deft William Gray's request to call a rebuttal witness regarding the shooting of Steven Eldridge is GRANTED. eod 07/15/99 [DLD]
- 07/13/1999 ENTRY - the Court orders counsel for Government to obtain from Pendleton any existing records at that institution that reference an attempt at suicide by Robert Johnson. cm LJM eod 07/15/99 [DLD]
- 07/14/1999 ENTRY - Deft Dennis Jones moves orally to strike the entire testimony given by Witness William Coby on direct examination and renews his Motion to Sever. Both motions are OVERRULED by the Court. eod 07/15/99 [DLD]
- 07/14/1999 ENTRY - Court DENIES, as to Robert Johnson, Willie Boddie's motion to disclosure of pre-sentence investigation reports of Government's witnesses for reasons set forth on the open record. cm LJM eod 07/15/99 [DLD]
- 07/15/1999 COURTROOM MINUTES - Cont. of Jury Trial. Pltf cont. w/evidence. Court Adjourns to resume on 07/19/99. eod 07/16/99 [DLD]
- 07/14/1999 ORDER - The Indiana Dept. of Corrections shall provide this Court at the earliest possible time, IN CAMERA, any and all records, including medical records, or copies thereof, pertaining to Robert Johnson,

07/23/65, and inmate between 1989 and 1993. cm LJM eod 07/16/99 [DLD]

07/15/1999 ENTRY - IN OPEN COURT: DENIES Deft Wm. J. Gray's Request for Cautionary Jury Instruction to be given weekly and states that said instruction will be given at the end of the presentation of evidence. eod 07/16/99 [SJD]

07/15/1999 ENTRY - IN OPEN COURT: GRANTS Govt's Motion for Curative Instruction and gives the Curative Instruction requested by the Govt. to the jury. cm/LJM eod 07/16/99 [SJD]

07/19/1999 COURTROOM MINUTES - Cont. of Jury Trial. Pltf cont. with evidence. Court adjourns to resume 07/20/99 at 9:00 a.m. eod 07/20/99 [DLD]

07/20/1999 COURTROOM MINUTES - Cont. of Jury Trial. Pltf cont. w/evidence. Court adjourns to resume 07/21/99 at 9:00 a.m. eod 07/21/99 [DLD]

07/20/1999 ENTRY - Deft's Gray's oral Motion in Limine regarding the testimony of Jessie Green and Renew Motion to Sever are OVERRULED by the Court for the reasons set forth on the open record. eod 07/22/99 [DLD]

07/20/1999 ENTRY - Deft Darren Brown orally renews the Motion in Limine regarding the testimony of Matthew Reidenback and moves to strike Officer Reidenback's testimony given this date. Motions remain pending before the Court. cm LJM eod 07/22/99 [DLD]

07/21/1999 COURTROOM MINUTES - Cont. of Jury Trial. Pltf cont. w/evidence. Court Adjourns to resomet 07/22/99 at 9:00 a.m. eod 07/22/99 [DLD]

07/22/1999 COURTROOM MINUTES - Cont. of Jury Trial. Pltft cont. w/evidence. Court Adjourns to Resume. 07/26/99 at 12:30 p.m. eod 07/23/99 [DLD]

07/22/1999 ENTRY IN OPEN COURT: DENIES Deft Boddie's Motion for Disclosure of Pre-Sentence Repts. of Govt Witnesses as to witnesses Coby and Douglas eod 07/26/99 [SJD]

07/22/1999 ENTRY - DENIES Deft Anthony Thompson's renewed Motion in Limine regarding items seized from 4339 Crittenden eod 07/26/99 [SJD]

07/22/1999 ENTRY - OVERRULES oral motion of Deft William Gray to strike all testimony pertaining to 4339 Crittenden eod 07/26/99 [SJD]

07/22/1999 ENTRY - OVERRULES oral motion of Deft Anthony Spradley to exclude testimony of Govt Witness Jessie Green eod 07/26/99 [SJD]

07/22/1999 ENTRY - GIVES cautionary instruction in conjunction with evidence of marijuana heard in testimony this date cm/LJM eod 07/26/99 [SJD]

07/26/1999 COURTROOM MINUTES - Jury Trial Continues. Pltf continues to present evidence. Court adjorns to resume 7/27/99 at 9:00 am. LJM eod 07/27/99 [MAC]

07/27/1999 COURTROOM MINUTES - Jury Trial Continues. Pltf continues to present evidence. Court adjourns to resume 7/28/99 at 9:00 am. LJM eod 07/28/99 [MAC]

07/28/1999 MOTION for Warrant for Material Witness c/s - PLTF USA eod 07/28/99 [MAC]

07/28/1999 ORDER GRANTS Govts Motion for Warrant for Material Witness. Court directs that a warrant be issued for the appearance of Elise Forrest. cm LJM eod 07/28/99 [MAC]

07/28/1999 WARRANT ISSUED for Elise Forest for failure to honor subpoena LAB eod 07/28/99 [MAC]

07/28/1999 MEMORANDUM concerning Disclosure of Agent Interview Notes c/s - DEFT White eod 07/28/99 [MAC]

07/28/1999 COURTROOM MINUTES - Jury Trial Continues. Pltf continues to present evidence. Court adjourns to resume 7/29/99 at 9:00 am. LJM eod 07/29/99 [MAC]

07/28/1999 ENTRY ASSIGNS HEARING to 07/30/99 at 01:30PM Room 202 (LJM) c/m (Hearing on Pending Motions) eod 07/29/99 [MAC]

07/28/1999 ENTRY from Hearing on a Warrant for Arrest of Material Witness. Elise Forest appeared in person and with FCD Jim McKinely. Winfield Ong appeared for the govt and Thomas Parker for USPO. Hearing held and Ms. Forest was released and ordered to appear before the Honorable Larry J. McKinney at 9:00 am. on July 29, 1999. (Conditions of Release attached) cm KPF eod 07/29/99 [MAC]

07/27/1999 ENTRY IN OPEN COURT: DENIES Deft Willie Boddie's Motion for Disclosure of Pre-Sentence Reports of Govt Witnesses as to witness Jandelyn Gates eod 07/29/99 [SJD]

07/27/1999 ENTRY - OVERRULES Deft Mark White's oral motion to exclude testimony of Govt witness Alfred Edmondson relating to two shooting incidents involving Mario Jackson and Steven Eldridge and to strike from the Indictment allegations of those overt acts. cm/LJM eod 07/29/99 [SJD]

07/28/1999 ENTRY IN OPEN COURT: OVERRULES Deft William Gray's oral motion to strike the testimony of Govt witness Alfred Edmondson concerning the purported kidnapping of "YZ" eod 07/29/99 [SJD]

07/28/1999 ENTRY - OVERRULES Deft William Gray's oral motion for a cautionary instruction regarding Alfred Edmondson's admission of overt acts. eod 07/29/99 [SJD]

07/28/1999 ENTRY - DENIES disclosure of Agent Neukum's notes of a 10/5/98 interview with Alfred Edmondson eod 07/29/99 [SJD]

07/28/1999 ENTRY - GRANTS Deft Spradley's request that Agent Neukum's 10/5/98 notes be placed under seal and included in the file cm/LJM eod 07/29/99 [SJD]

07/29/1999 COURTROOM MINUTES - Jury Trial Continues. Pltf Continues to present Evidence. Court adjourns to resume 8/2/99 at 9:00 am. LJM eod 07/30/99 [MAC]

07/30/1999 MOTION IN LIMINE cs PLTF eod 08/02/99 [DLD]

07/30/1999 ENTRY - hearing is held with Government counsel and defense counsel represented by agreement by Mark Inman, William Dazey, Linda Wagoner and James McAbee on the issues of disclosure of law enforcement officers' notes. eod 08/02/99 [DLD]

07/30/1999 ENTRY - Argument is heard by the Court on the question of the existence of additional Kel tapes and notes resulting from interviews held between July 5, 1997 and October 25, 1997 by officers of the Metropolitan Homicide Response Team with Keith Cork, William Cox, Robert Johnson and Dwayne Gibson. eod 08/02/99 [DLD]

07/30/1999 ENTRY - Court directs the Government to provide certain information to the Court (See Order) eod 08/02/99 [DLD]

07/30/1999 ENTRY - Counsel James McAbee, on behalf of DEFT (Dennis Jones) moves orally to strike the portion of

Officer Monica Smiley's testimony regarding a statement of DEFT (Stephanie Johnson) that referenced DEFT Jones. Court takes the motion under advisement. eod 08/02/99 [DLD]

07/30/1999 ENTRY - Counsel William Dazey, on behalf of DEFT (Mark White), moves orally to strike the testimony of Alfred Edmondson concerning the purported kidnapping of "YZ". The motion is OVERRULED on the record for the same reasons DEFT William Gray's Motion to Strike this testimony was denied. cm LJM eod 08/02/99 [DLD]

08/02/1999 ORDER to Seal. It is now ordered that the Government's Submission, In Camera, of notes taken by Law Enforcement Agents at 10/25/97 meeting, filed with the Court this date, be placed UNDER SEAL. cm LJM eod 08/02/99 [DLD]

08/02/1999 AFFIDAVIT of Christopher Hefner. eod 08/02/99 [DLD]

08/02/1999 AFFIDAVIT of John T. Jones. eod 08/02/99 [DLD]

08/02/1999 Government's Witness List for August 2, 1999. cs PLTF eod 08/02/99 [DLD]

08/02/1999 MOTION IN LIMINE cs PLTF eod 08/02/99 [DLD]

08/02/1999 COURTROOM MINUTES - cont. of jury trial. PLTF cont. with evidence. Court adjourns to resume 08/03/99 at 9:00 a.m. eod 08/03/99 [DLD]

08/02/1999 MOTION for Warrant for material witness. cs PLTF eod 08/03/99 [DLD]

08/02/1999 ORDER that a warrant be issued for the appearance of Maurice Rowe in the trial of this matter. cm LJM eod 08/03/99 [DLD]

08/03/1999 STIPULATION government exhibits 274 A, B, D, E, F, G and H. cs PLTF eod 08/03/99 [DLD]

08/03/1999 COURTROOM MINUTES - Cont. of Jury Trial. Pltf cont. with evidence. Court adjourns to resume 8/4/99 at 9:00 a.m. eod 08/04/99 [DLD]

08/04/1999 DISCLOSURE OF WITNESS ASSISTANCE. cs PLTF eod 08/04/99 [DLD]

08/03/1999 ENTRY IN OPEN COURT: DEFT Mark White moves orally for a Motion in Limine to exclude certain testimony of Government witness Keith Cork considered by DEFT White to be 404(b) material. The testimony in question relates to: 1) the shooting of Steven Eldrige, 2) the purported kidnapping of "YZ", 3) the shooting of Mario Jackson residence, and 4) the allegation of a shooting incident and pay-off. Motion is OVERRULED by the Court. eod 08/05/99 [DLD]

08/03/1999 ENTRY - DEFT Anthony Spradley orally moves to strike Government's last question and the answer given by Keith Cork in his testimony this date. Motion is GRANTED. eod 08/05/99 [DLD]

08/03/1999 ENTRY - Court DENIES disclosure of Raymond Story's pre-sentence investigative report for the reasons stated on the open record. eod 08/05/99 [DLD]

08/03/1999 ENTRY - the Court finds that the 2 1/2 pages of written notes of Agent Neukam contain no Brady or Jenks material and DENIES disclosure of said notes. eod 08/05/99 [DLD]

08/03/1999 ENTRY OVERRULES DEFT Gray's Motion to Reconsider matters pertaining to Cork's and Cox's reputation for peacefulness. eod 08/05/99 [DLD]

08/03/1999 ENTRY - DEFT Gray's Motion to Reconsider Admission of "Statements" of Marcus Willis is OVERRULED. cm LJM eod 08/05/99 [DLD]

08/04/1999 COURTROOM MINUTES - Cont. of Jury Trial. PLTF cont. with evidence. Court adjourns to resume 08/05/99. eod 08/05/99 [DLD]

08/04/1999 ENTRY IN OPEN COURT: The Court DENIES production of Officer Schmidt's notes of the 10/25/97, interview with Keith Cork for the reasons stated on the open record. cm LJM eod 08/05/99 [DLD]

08/05/1999 COURTROOM MINUTES - Cont. of Jury Trial. PLTF cont. with evidence. Court Adjourns to resume 08/09/99. eod 08/06/99 [DLD]

08/09/1999 MOTION for Warrant for Material Witness. cs PLTF eod 08/09/99 [DLD]

08/09/1999 ORDER grants the Motion for a Warrant on Darryl Rudich. cm LJM eod 08/09/99 [DLD]

08/09/1999 MOTION for issuance of subpoena. cs DEFT eod 08/09/99 [DLD]

08/09/1999 ORDER - comes now deft, Mark White, by counsel, having filed his Motion for Issuance of Subpoenas, and the Court being duly advised now ORDERS the U.S. Marshall to serve the subpoenas attached to this Order. Such witnesses are to bepaid statutory expenses in the same manner as witnesses calley by the US. cm LJM eod 08/09/99 [DLD]

08/09/1999 SUBPOENA issued to Steve Ross and Dennis Burris. eod 08/09/99 [DLD]

08/09/1999 SUBPOENA issued to Ruthann Herber eod 08/09/99 [DLD]

08/09/1999 SUBPOENA issued to Dawn Smith eod 08/09/99 [DLD]

08/09/1999 SUBPOENA issued to Bobby Newsom eod 08/09/99 [DLD]

08/09/1999 SUBPOENA issued to Jerry Cannon eod 08/09/99 [DLD]

08/09/1999 SUBPOENA issued to Cuatia Taylor eod 08/09/99 [DLD]

08/09/1999 COURTROOM MINUTES - Cont. of Jury Trial. PLTF conts. with evidence. Court Adjourns to resume 08/10/99 at 9:00 a.m. eod 08/10/99 [DLD]

08/09/1999 ENTRY - IN OPEN COURT: Defendant Darren Brown orally moves for a Motion in Limine excluding the testimony of two Government witnesses regarding the purported kidnapping of Anthony Hill, a.k.a. AZ, and drug transaction involving Mr. Hill. Motion joined by DEFTS Gray, Spradley and White. In the event that the Court denies their motion, DEFTS move the Court for a recess of this trial for a period of 10 days in order to prepare their cross-examination. Deft Gray requests a limiting instruction to the jury should the Court deny the motion. eod 08/10/99 [DLD]

08/09/1999 ENTRY - Court permits testimony of witness Allison Hill this date, DENIES defts' request for a recess of ten days, and rules that the testimony of witness Harold Swindell be delayed until Thursday, August 12, 1999. eod 08/10/99 [DLD]

08/09/1999 ENTRY - DEFT Gray renews his Motion to Sever. Motion is OVERRULED by Court. cm LJM eod 08/10/99 [DLD]

08/10/1999 COURTROOM MINUTES - Cont. of Jury Trial. PLTF cont. with evidence. Court adjourns to resume 08/11/99 at 9:00 a.m. eod 08/11/99 [DLD]

08/10/1999 ENTRY in OPEN COURT: DEFT Mark White moves orally for a motion in limine to exclude the testimony of Witness William Cox as to a drive-by shooting by unknown assailants in early 1998. Deft William Gray joins in the motion and renews his Motion to Sever. The Motion in Limine is DENIED by the Court. Court now OVERRULES DEFT Gray's renewed Motion to Sever. cm LJM eod 08/11/99 [DLD]

08/11/1999 COURTROOM MINUTES - Jury Trial Continues. Pltf presents Evidence. Court adjourns to resume 8/12/99 at 9:00 am. LJM eod 08/12/99 [MAC]

08/12/1999 USM RETURN - endeavored to serve 8/10/99; business closed (no hours of operation posted) eod 08/12/99 [LMW]

08/11/1999 ENTRY - IN OPEN COURT: GRANTS Govt's oral motion to withdraw warrants for arrest of witnesses Maurice Rowe and Darryl Rudich eod 08/13/99 [SJD]

08/11/1999 ENTRY - IN OPEN COURT: Govt orally moves for a motion in limine to exclude any defense evidence that has not been provided in reciprocal discovery. MOTION TAKEN UNDER ADVISEMENT eod 08/13/99 [SJD]

08/11/1999 ENTRY - IN OPEN COURT: OVERRULES deft Willie Boddie's oral motion for a cautionary instruction at the conclusion of witness William Cox's testimony eod 08/13/99 [SJD]

08/11/1999 ENTRY - IN OPEN COURT: OVERRULES deft Willie Boddie's oral renewal of his Motion to Sever eod 08/13/99 [SJD]

08/11/1999 ENTRY - IN OPEN COURT: DENIES disclosure of William Cox's pre-sentence report for reasons stated on the record eod 08/13/99 [SJD]

08/11/1999 ENTRY - IN OPEN COURT: OVERRULES deft Darren Brown's motion in limine regarding certain IRS documents cm/LJM eod 08/13/99 [SJD]

08/12/1999 COURTROOM MINUTES - Continuance of jury trial. Pltf continues with evidence. Court adjourns to resume 8/16/99 at 9:00 a.m. eod 08/13/99 [SJD]

08/12/1999 ENTRY - IN OPEN COURT: OVERRULES deft Dennis Jones' oral motion to strike certain testimony of Officer Monica Smiley eod 08/13/99 [SJD]

08/12/1999 ENTRY - IN OPEN COURT: GRANTS IN PART and DENIES IN PART deft Darren Brown's oral motion in limine to exclude the entire proposed testimony of Govt witness Harold Swindell eod 08/13/99 [SJD]

08/12/1999 ENTRY - IN OPEN COURT: OVERRULES deft Thomas Alexander's renewed motion to sever eod 08/13/99 [SJD]

08/12/1999 ENTRY - IN OPEN COURT: OVERRULES deft Mark White's renewed motion in limine to exclude all testimony regarding the purported kidnapping of Anthony Hill, a/k/a "YZ" cm/LJM eod 08/13/99 [SJD]

08/12/1999 ORDER - REMOVES the ex parte submission to the Court of Defts' Preliminary Witness List and directs distribution of said list to Govt counsel cm/LJM eod 08/13/99 [SJD]

08/09/1999 ENTRY IN OPEN COURT: GRANTS Govt's Motion in Limine regarding testimony of Witness Terry C.

Brown cm/LJM eod 08/16/99 [SJD]

08/12/1999 ENTRY - IN OPEN COURT: DENIES Deft Dennis Jones' Motion to Strike Certain Portions of June 30, 1997 Statement and Memorandum cm/LJM eod 08/16/99 [SJD]

08/16/1999 ORDER - OVERRULES Deft Ellis Walker's Motion for Mistrial, or to Strike Testimony of Dewayne Gibson and to Give Curative Instruction, and Renewed Motion for Severance cm/LJM eod 08/16/99 [SJD]

08/16/1999 COURTROOM MINUTES - Jury Trial Continues. Pltf continues evidence. Court adjourns to resume 8/17/99 at 9:00 a.m. eod 08/17/99 [SJD]

08/17/1999 STIPULATION of Govt Exhibits 257, 236 A,B,C and 237 A,C,D,F,G eod 08/17/99 [SJD]

08/16/1999 USM RETURN subpoena served upon Jerry Cannon eod 08/17/99 [CBU]

08/16/1999 SUBPOENA returned on Cuatia Taylor-Address does not exist eod 08/17/99 [CBU]

08/17/1999 STIPULATION of Govt Exhibits 442 A and 442 B eod 08/18/99 [SJD]

08/17/1999 COURTROOM MINUTES - Jury Trial Continues. Govt continues evidence. Court adjourns to resume 8/18/99 at 9:00 a.m. eod 08/18/99 [SJD]

08/18/1999 COURTROOM MINUTES - Jury Trial Continues. Govt continues evidence. Court adjourns to resume 8/19/99 at 9:00 a.m. eod 08/19/99 [SJD]

08/19/1999 JURY INSTRUCTIONS -tendered c/s USA eod 08/19/99 [CBU]

08/18/1999 STIPULATION of Govt Exhibits 223, 224, 225, 234, 242, 245 and 258 eod 08/20/99 [SJD]

08/19/1999 COURTROOM MINUTES - Jury Trial Continues. Govt continues evidence. Court adjourns to resume 8/23/99 at 9:00 a.m. eod 08/20/99 [SJD]

08/19/1999 ORDER (REVISED) of 8/9/99 order for issuance of subpoenas cm/LJM eod 08/20/99 [SJD]

08/20/1999 JURY INSTRUCTIONS - TENDERED INSTRUCTINS AND OBJECTIONS to the Court's Proposed Instructions cs DEFT WHITE eod 08/20/99 [LMW]

08/23/1999 MOTION to Prohibit Expert Witness and Motion for Limine. cs PLTF eod 08/23/99 [DLD]

08/23/1999 USM RETURN - Proof of Service on Dawn Smith on 08/17/99 eod 08/24/99 [DLD]

08/23/1999 COURTROOM MINUTES Jury Trial Continues. Plaintiff continues evidence and rests. Court adjourns to resume 8/24/99 at 9:00 a.m. eod 08/24/99 [SJD]

08/24/1999 COURTROOM MINUTES - Jury Trial Continues. Defts begin evidence. Court adjourns to resume 8/25/99 at 9:00 a.m. eod 08/25/99 [SJD]

08/24/1999 ENTRY - IN OPEN COURT: OVERRULES Defts' motions for acquittal with exception of Deft Spradley's motion for acquittal as to Counts 2, 3, & 4 which is taken under advisement. eod 08/25/99 [SJD]

08/24/1999 ENTRY - IN OPEN COURT: OVERRULES defendants' renewed motions to strike and to sever. eod

08/25/99 [SJD]

- 08/24/1999 ENTRY - IN OPEN COURT: GRANTS Govt's oral motion in limine regarding the taped conversation between Sgt. Benjamin and Anthony Spradley. cm/LJM eod 08/25/99 [SJD]
- 08/12/1999 USM RETURN - Ruthann Herber dated 08/10/99 eod 08/26/99 [DLD]
- 08/25/1999 COURTROOM MINUTES - Jury Trial Continues. Defendants continue evidence. Court adjourns to resume 8/26/99 at 9:00 a.m. eod 08/26/99 [SJD]
- 08/26/1999 COURTROOM MINUTES - Jury Trial Continues. Defendants continue evidence and rest. Court adjourns to resume 8/30/99 at 9:00 a.m. eod 08/27/99 [SJD]
- 08/25/1999 ENTRY - IN OPEN COURT: OVERRULES oral motion of Deft Thomas Alexander to strike tapes presented into evidence by Deft Mark White. cm/LJM eod 08/31/99 [SJD]
- 08/26/1999 ENTRY - IN OPEN COURT: GRANTS Deft Anthony Spradley's oral motion to strike a certain question of the Govt during the testimony of Ernest Terry. cm/LJM eod 08/31/99 [SJD]
- 08/30/1999 COURTROOM MINUTES - Jury Trial Continues. Final Arguments begun. Court adjourns to resume 8/31/99 at 9:00 a.m. eod 08/31/99 [SJD]
- 08/30/1999 ORDER - DENIES Deft Stephanie Johnson's oral motion for judgment of acquittal on Counts 8, 9, 16 and 17. eod 08/31/99 [SJD]
- 08/30/1999 ORDER - DENIES Deft Ellis Walker's 8/24/99 renewed motion for severance and/or for mistrial. eod 08/31/99 [SJD]
- 08/30/1999 ORDER - DEEMS MOOT Govt's Motion to Prohibit Expert Witness and Motion in Limine filed on 8/23/99. cm/LJM eod 08/31/99 [SJD]
- 08/30/1999 ORDER - OVERRULES Renewed Oral Motions under Rule 29, Motions to Sever, and Motions to Strike. cm/LJM eod 08/31/99 [SJD]
- 08/31/1999 COURTROOM MINUTES - Jury Trial Continues. Final Arguments conclude. Bailiffs are sworn. Jury begins deliberations at 9:00 p.m. Court adjourns to resume 9/1/99 at 8:00 a.m. eod 09/02/99 [SJD]
- 09/01/1999 COURTROOM MINUTES - Jury continues their deliberation and recesses to resume deliberation on 9/2/99 at 8:00 a.m. eod 09/03/99 [SJD]
- 09/02/1999 COURTROOM MINUTES - Jury continues their deliberation and recesses to resume deliberation on 9/3/99 at 8:00 a.m. eod 09/03/99 [SJD]
- 08/31/1999 ORDER - that the members of the jury be sequestered and continued under the care and control of the United States Marshal until discharged. The U.S. Marshal is directed to provide appropriate lodging accommodations for the members of the jury as well as meals and transportation that are to be provided at the expense of the U.S. District Court. cm/LJM eod 09/03/99 [SJD]
- 09/03/1999 COURTROOM MINUTES - Jury cont. their deliberation and recesses to resume deliberation on 09/04/99 at 8:00 a.m. eod 09/08/99 [DLD]
- 09/04/1999 COURTROOM MINUTES - Jury Return with Verdicts. Jury Discharged. Court adjourn. eod 09/08/99 [DLD]

09/04/1999 COURTROOM MINUTES - Jury cont. their deliberation. Jury returns with their verdicts. Verdicts are read by the Court. Jurors are pulled and discharged. Court is adjourned. eod 09/08/99 [DLD]

09/04/1999 VERDICT - guilty verdicts: Counts 1,7,8,22 (See Verdict Forms) eod 09/08/99 [DLD]

11/02/1998 APPEARANCE - CJA William Dazey appointed for all proceedings on Voucher #0716823 (Nunc Pro Tunc) (KPF) eod 09/08/99 [MHK]

09/14/1999 ENTRY ASSIGNS SENTENCING DATE to 12/10/99 at 09:00AM Room 202 (LJM) c/m eod 09/14/99 [DLD]

09/17/1999 MOTION for witness fees and expenses. cs DEFT eod 09/17/99 [DLD]

09/21/1999 ORDER directing payment of witness fees and expenses. cm LJM eod 09/21/99 [DLD]

10/21/1999 ENTRY ASSIGNS CONF to 11/05/99 at 11:00AM Room 204 (LJM) c/m (Atty conf to discuss sentencing issues) eod 10/21/99 [SJD]

11/05/1999 ORDER on Briefing. Attorney conference held. The Court now orders defense briefing on sentencing issues on or before 11/15/99, and Government response thereto on or before 11/22/99. cm LJM eod 11/05/99 [DLD]

11/15/1999 SENTENCING MEMORANDUM cs DEFT eod 11/16/99 [DLD]

11/16/1999 OBJECTION to Proposed Guideline Computation. cs DEFT eod 11/18/99 [DLD]

11/22/1999 RESPONSE to DEFTS' Objection to proposed guideline computation. cs PLTF eod 11/22/99 [DLD]

12/07/1999 ENTRY - Court is called into session for oral argument on defts' objections to proposed guideline computations. Government, by counsel, and DEFTS, with counsel, are present. Court hears argument of counsel and takes the matter under advisement. Court is adjourned. cm LJM eod 12/07/99 [DLD]

12/07/1999 ORDER - OVERRULES Defts' Objections to Guideline Calculation cm/LJM eod 12/08/99 [SJD]

12/09/1999 ORDER - on Defts' Objections to Guideline Calculation (Second Order) cm/LJM eod 12/09/99 [SJD]

12/10/1999 SENTENCING HELD J & C forthcoming. eod 12/10/99 [DLD]

12/10/1999 JUDGMENT ENTERED COUNT/FINDING: 21 USC 841 (a)(1)and 846 - Conspiracy to Possess with Intent to distribute and to distribute cocaine, Count 1, 18 USC 1956(a)(1)(A) and (h) Conspiracy to commit money laundry Count 7,8, 18 USC 1956(a)(1)(B) Conducting Financial Transaction with Proceeds from Unlawful Activity, IMPRISONMENT: Count 1 - Life, Counts 7,8,22 - 240 months SUPERVISED RELEASE: 5 years Standard & Special conditions of Supervision - See Judgment ASSESSMENT: 400.00 FINE: 5,000.00 COUNT(S) DISMISSED: Count 2-4, 13 cm LJM OBV 33 PG 209 eod 12/14/99 [DLD]

12/17/1999 NOTICE OF APPEAL from the final judgment entered on 12/14/99 c/s DEFT eod 12/17/99 [GRN]

12/17/1999 DOCKETING STATEMENT c/s DEFT/APPELLANT eod 12/17/99 [GRN]

12/17/1999 {"Circuit Rule 26.1 Disclosure Statement"} c/s Attorney for DEFT/APPELLANT eod 12/17/99 [GRN]

12/17/1999 SHORT RECORD SENT TO CA w Notice, Info Sheet & Docket Sheet Designation of record letter sent to

parties. eod 12/17/99 [GRN]

12/27/1999 ACK FROM CA SHORT RECORD received & assigned CA # 99-4281 eod 12/28/99 [GRN]

12/29/1999 DESIGNATION OF RECORD "Additionally, the Defendant requests that all pretrial motions and orders related thereto reflected on the docket of any co-defendant (including defendants whose cases resulted in acquittal) be included in the Record on Appeal." c/s DEFT/APPELLANT eod 01/03/00 [GRN]

01/14/2000 USM RETURN on Mark White. eod 01/14/00 [DLD]

03/08/2000 ORDER that this cause comes before the Court on the Court's own motion. The Court is having a new transcript prepared to incorporate one complete trial transcript. The following transcripts are now STRICKEN from the record. They are as follows: Document No. # 265, #266, #267, # 290, #291, #292, # 293, # 294, # 295, # 296, # 297, # 298, # 299, #300, #301, # 314, #315 and #320. cm LJM eod 03/08/00 [DLD]

03/09/2000 NOTICE - The above transcripts are docketed on IP 98-38-CR-01-M/F ONLY. eod 03/09/00 [DLD]

03/17/2000 Clerk's MEMORANDUM re All ORIGINAL TRIAL TRANSCRIPTS [Vols 1 - 31]. They are lodged and docketed into Criminal Defendant IP98-038-CR-01-M/F ONLY. eod 03/17/00 [GRN]

03/13/2000 TRANSCRIPT of Hearing re: Proposed Guideline Calculations held 12/06/99, before Hon. Larry J. McKinney. [Original lodged with IP98-038-CR-01-M/F]. eod 03/17/00 [GRN]

03/13/2000 TRANSCRIPT of Disposition Proceedings Held 12/10/99, before Hon. Larry J. McKinney eod 03/17/00 [GRN]

03/22/2000 MOTION to Withdraw Exhibit No. 18. cs PLTF eod 03/22/00 [DLD]

03/23/2000 ORDER grants the motion to withdraw exhibit no. 18. cm LJM eod 03/23/00 [DLD]

06/07/2000 MOTION to Settle the Record [on appeal] re: joinder of co-defendants' oral/written motion(s) and objection (s) c/s DEFTS/APPELLANTS eod 06/12/00 [GRN]

06/16/2000 GOVERNMENT's RESPONSE to DEFT's "Motion to Settle the Record" c/s USA eod 06/16/00 [GRN]

07/14/2000 ENTRY certifies the following supplemental matters to the Record on appeal, pursuant to FRAP 10(e): 1) Both oral & written Motions made on behalf of one named defendant were deemed to be made on behalf of all defendants unless the Record reflects that a defendant opted out of the motion : and 2)Objections made on behalf of one named defendant were deemed to be made on behalf of all defendants unless the Record reflects that a defendant opted out of the objection. {S.E.} c/m LJM eod 07/24/00 [GRN]

08/10/2000 CJA VOUCHER # 0716823, dated 10/13/99. eod 08/10/00 [KJM]

08/10/2000 CJA VOUCHER # - for pmt to ct apptd counsel William Dazey, Jr., dated 1/31/00. eod 08/10/00 [KJM]

08/10/2000 CJA VOUCHER # - for payment to Glen Cunningham for transcript (dated 3/13/00). eod 08/10/00 [KJM]

08/10/2000 CJA VOUCHER # - for payment to Glen Cunningham for transcript (dated 3/13/00). eod 08/10/00 [KJM]

09/21/2000 APPEAL RECORD withdrawn by Atty. William Dazey, consisting of 3 vols pleadings and 1 vol. Co-Defendant's Motions Volume. eod 09/21/00 [GRN]

01/18/2001 APPEAL RECORD returned, consisting of 3 vols pleadings & 1 vol Co-Defendant's motions. eod 01/22/01 [GRN]

04/10/2001 Motion {"Petition for a copy of the Jury Instructions" "Specifically, the instant petition is for the following transcripts:(1). Grand Jury Transcripts, (2). Trail Trans Cripts [sic] (3). Docket Sheet." : and eod 04/10/01 [GRN]

04/10/2001 "... request that this petition be accepted IN FORMA PAUPERIS, due to the appellant/defendant's poverty and inability to pay the cost concerning the foregoing action." DEFT/APPELLANT eod 04/10/01 [GRN]

04/13/2001 ENTRY DENIES DEFT's Pro Se request for a copy of jury instructions and certain transcripts because he is represented by counsel in the pending appeal and the court presumes that counsel has access to all pertinent records. c/m LJM eod 04/16/01 [GRN]

05/21/2001 LONG RECORD SENT TO CA consisting of 22 vol pleadings: {4 vols = Deft #1, all others; 3 vols}, 1 vol * Supplemental Pleadings: {= Obj/mots of Non-appealing Co-Defts}, 41 vols Transcripts {32 shared}, 14 In Camera Envelopes {2 per DEFT}, and 1 Envelope Exhibits from detention hearing of 7/24/98 [re: DEFT #1 only]. Note: Upon instruction from Clerk's Office of 7th Circuit, the remaining exhibits would be forwarded to 7th Circuit based on any ad-hoc request(s), as a supplemental record. eod 05/21/01 [GRN]

05/02/2002 MANDATE RECEIVED FROM CA. The District Court's imposition of a life sentence to Jones based on the application of the First-Degree Murder Guideline is VACATED. We AFFIRM each of the defendants' convictions and REMAND for the resentencing of defendants Jones and White. All in accordance with the decision of the C/A entered April 9, 2002. Received certified copy of opinion and judgment. Records returned consisting of 22 vols pleadings, 1 vol loose pleadings, 41 vols transcripts, 1 envelope exhibits and 6 In Camera Envelopes. eod 05/02/02 [GRN]

05/23/2002 OBJECTION to Sentence Imposed. cs DEFT eod 05/24/02 [DLD]

10/08/2002 REOPEN eod 10/08/02 [DLD] For statistical purpose - case does not need to be reopened. edited 1/8/03 [WMK]

09/10/2002 Request to know status of case concerning remand by 7th Circuit Court of Appeal. DEFT eod 10/09/02 [DLD]

10/11/2002 ENTRY ASSIGNS SENTENCING DATE to 10/23/02 at 10:00AM Room 202 (LJM) c/m (Re-sentencing) eod 10/11/02 [KJM]

10/17/2002 MOTION TO CONTINUE resentencing date of 10/23/02. cs DEFT eod 10/18/02 [DLD]

10/21/2002 ORDER VACATES SENTENCING DATE of 10/23/02 at 10:00AM Room 202 (LJM) c/m eod 10/21/02 [DLD]

10/21/2002 ORDER REASSIGNS SENTENCING DATE to 01/24/03 at 02:00PM Room 202 (LJM) c/m eod 10/21/02 [DLD]

01/16/2003 MOTION to Dismiss Count 1 of Indictment based on the Government's failure to prove every element of the offense. cs DEFT eod 01/17/03 [DLD]

01/16/2003 MOTION TO CONTINUE resentencing date. cs DEFT eod 01/17/03 [DLD]

01/22/2003 ORDER VACATES SENTENCING DATE of 01/24/03 at 2:00PM Room 202 (LJM) c/m eod 01/22/03 [DLD]

01/22/2003 ORDER REASSIGNS SENTENCING DATE to 03/07/03 at 03:00PM Room 202 (LJM) c/m Cont. of #276 eod 01/22/03 [DLD]

02/13/2003 MOTION TO CONTINUE sentencing cs PLTF eod 02/14/03 [DLD]

02/18/2003 ORDER VACATES SENTENCING DATE of 03/07/03 at 3:00PM Room 202 (LJM) c/m eod 02/18/03 [DLD]

02/18/2003 ORDER REASSIGNS SENTENCING DATE to 04/04/03 at 02:00PM Room 202 (LJM) c/m eod 02/18/03 [DLD]

04/01/2003 MOTION to continue resentencing date. cs DEFT eod 04/01/03 [KJM]

04/01/2003 ORDER GRANTS Deft's motion to continue. eod 04/01/03 [KJM]

04/01/2003 ORDER VACATES SENTENCING DATE of 04/04/03 at 2:00PM Room 202 (LJM) c/m eod 04/01/03 [KJM]

04/01/2003 ORDER REASSIGNS SENTENCING DATE to 06/13/03 at 03:00PM Room 202 (LJM) c/m (resentencing hearing) eod 04/01/03 [KJM]

04/28/2003 Notice of Docketing a Petition for Writ of Mandamus; CA# 03-2250 eod 05/15/03 [GRN]

05/19/2003 MOTION for clarification concerning commencement of one-year filing deadline DEFT-Pro Se eod 05/20/03 [CBU]

05/21/2003 ORDER {from 7th Circuit C/A, dated 5/19/03}: The Pro Se petition for Writ of Mandamus [03-2250], to commence resentencing proceedings concerning Defendant herein, filed May 8, 2003, is DENIED, in accordance with the decision of the C/A entered 5/19/03. Received certified copy of order. eod 05/28/03 [GRN]

06/13/2003 ENTRY - Re-sentencing hearing held and concluded. J & C forthcoming. eod 06/17/03 [KJM]

06/13/2003 MOTION (REQUEST) for ruling on pro se motions. c/s DEFT eod 06/17/03 [CLL]

06/23/2003 ENTRY directs the Clerk to include a copy of petrs petition with distribution of this Entry; defts petition for clarification is denied cm LJM eod 06/23/03 [CBU]

06/20/2003 JUDGMENT (AMENDED). Deft was founf guilty of counts 1,7,8 and 22. The deft was found not guilty of 2,3,4 and 13. IMPRISONMENT: 480 months.ASSESSMENT: \$400.00. FINE:\$5000.00. Deft remanded to the custody of the U.S. Marshal service. cm LJM OBV 37 PG 144 eod 06/30/03 [YOL]

07/03/2003 NOTICE OF APPEAL from the judgment announced on June 13, 2003 but not yet entered on the docket as of the date of this notice. c/s DEFT eod 07/03/03 [GRN]

07/03/2003 APPEAL FEES NOT PAID - CJA APPOINTMENT eod 07/03/03 [GRN]

07/08/2003 ENTRY Deft's request for a ruling on his pro se motions, these bieng the motion to dismiss,filed on 1/13/03, is Granted. Deft's motion to dismiss filed on 1/16/03, is denied. Also consistent with the re-sentencing of 6/13/03 the court considered and rejected the deft's proposition that a plenary re-sentencing was authorized; instead the deft was re-sentenced in accord with the decision of the court of appeals and the limited remand. cm LJM eod 07/08/03 [YOL]

07/10/2003 SHORT RECORD SENT TO CA w Notice, Info Sheet & Docket Sheet eod 07/10/03 [GRN]

05/06/2003 MOTION to present Caselaw supporting court's Authority to Consider Petitions and Objections, by Defendant, Concerning Criminal case. cs PLTF (docketed out of order) eod 07/11/03 [KJM]

07/16/2003 TRANSCRIPT of resentencing held 6/13/03. eod 07/17/03 [YOL]

07/17/2003 ACK FROM CA SHORT RECORD received & assigned CA # 03-2875 eod 07/17/03 [GRN]

10/21/2003 DESIGNATION OF RECORD . c/s DEFT/APPELLANT eod 10/22/03 [TMA]

01/12/2004 MOTION under 28 USC 2255 to vacate (See Civil Cause 1:04-cv-71 LJM-WTL) eod 01/13/04 [PLM]

01/06/2004 RECEIPT FOR EXHIBITS - Trial Exhibits returned to DEA eod 01/15/04 [KJM]

05/11/2005 Request for Presence of DEFT Pursuant to FRCP 43(b)(3) c/s DEFT Pro se eod 05/11/05 [AJN]

05/13/2005 MANDATE RECEIVED FROM CA. - We (USCA) direct a limited REMAND of White's case in accordance with the procedure set forth in this opinion dated 5/3/05. Received certified copy of opinion. The 7th Circuit retains appellate jurisdiction. eod 05/16/05 [TMA]

05/17/2005 ENTRY -This cause is set for Paladino hearing. USMS shall produce the DEFT at hearing. eod 05/18/05 [AJN]

05/17/2005 ENTRY ASSIGNS HEARING to 06/03/05 at 03:00PM Room 215 (LJM) c/m (TH) eod 05/18/05 [AJN]

05/20/2005 MOTION TO CONTINUE Paladino Hearing c/s DEFT eod 05/20/05 [AJN]

05/23/2005 ENTRY VACATES HEARING of 06/03/05 at 3:00PM Room 215 (LJM) c/m eod 05/23/05 [AJN]

05/23/2005 ENTRY REASSIGNS HEARING to 05/26/05 at 03:30PM Room 204 (LJM) c/m eod 05/23/05 [AJN]

05/26/2005 ENTRY and Order-Parties having meet by counsel for a hearing,the Court now orders the parties to file a brief on the sentencing issues within 30 days. cm LJM eod 05/31/05 [AJN]

05/31/2005 ORDER VACATES HEARING of 05/26/05 at 3:30PM Room 204 (LJM) c/m eod 05/31/05 [AJN]

06/03/2005 ENTRY -The Court previously determined that this is not a case in which the DEFT can proceed with and without counsel. The DEFT should refrain from submitting Pro Se filing so long as he remains represented by counsel. DEFT's request for his presence is granted to the extent that it becomes necessary in order to carry out the terms of the limited remand. cm LJM eod 06/03/05 [AJN]

06/10/2005 Submission Regarding Need for Re-Sentencing of DEFT-c/s USA eod 06/13/05 [AJN]

06/23/2005 Letter to Court from DEFT's mother regarding his release. eod 06/23/05 [AJN]

06/24/2005 MOTION for Extension of Time to Submit Paladino Remand Statement c/s DEFT eod 06/27/05 [AJN]

06/28/2005 ORDER -Grants Motion for Time to Submit Paladino Statement. DEFT has through July 8, 2005 to submit his statement. cm LJM eod 06/28/05 [AJN]

07/08/2005 MOTION FOR TIME TO Submit Paladino Remand Statement c/s DEFT eod 07/08/05 [AJN]

07/08/2005 ORDER Grants Motion for Time. DEFT's Paladino Statement is extended through July 22, 2005. cm LJM eod 07/08/05 [AJN]

07/22/2005 STATEMENT on limited remand. c/s DEFT eod 07/22/05 [CLL]

09/14/2005 ORDER -PALADINO-cm LJM eod 09/14/05 [CBU]

10/14/2005 LONG RECORD SENT TO CA consisting of 4 vols pleadings, 2 transcripts and 1 in camera envelope, per USCA request. eod 10/14/05 [TMA]

10/20/2005 ACK FROM CA LONG RECORD RECEIVED on 10/17/05. eod 10/21/05 [TMA]

12/28/2005 MANDATE RECEIVED FROM CA. - The judgment of the District Court is AFFIRMED, in accordance with the decision of the USCA entered on 5/3/05 and 11/22/05. Received certified copy of mandate. Complete record returned. eod 12/29/05 [TMA]

07/24/2006 Letter requesting docket sheet and copy of jury verdict form by defendant, Mark White eod 07/25/06 [PG]

04/09/2007 MOTION FOR PAUPER STATUS ; and MOTION and Application for Certification Granting Copies of Criminal File to Indigent. DEFT eod 04/09/07 [LSC]

08/22/2007 ENTRY Granting in Part and Denying in Part Deft's Motion filed on 4/9/2007 LJM c/m. eod 08/22/07 [PG]

09/11/2007 ENTRY Defendant's request to be supplied with a copy of the docket sheet and verdict form in the above action is GRANTED LJM c/m. eod 09/11/07 [PG]

01/08/2008 MOTION (PETITION) FOR WRIT OF HABEAS CORPUS pursuant to 28 USC 2255 (1:08-cv-00030-LJM-WTL). eod 01/09/08 [DH]

03/21/2008 Letter from defendant regarding sentence eod 03/24/08 [PG]

03/21/2008 MOTION TO REDUCE SENTENCE RE CRACK COCAINE OFFENSE - 18:3582 by deft eod 03/24/08 [PG]

09/05/2008 ENTRY Appointing Counsel and Directing Development of Motion for Modification of Sentence Pursuant to 18:3582. IFCD is appointed to represent the Defendant. USPO is requested to prepare a worksheet or similar assessment. US shall file a response to the 3582 motion within 21 days of USPO filing worksheet/assessment. (See Entry) LJM c/m eod 09/08/08 [TRG]

10/01/2008 MOTION to Supplement/Amend White's Title 28:2255 Motion to Vacate, Set Aside or Correct Sentence, filed by Mark White. eod 10/02/08 [TRG]

10/01/2008 MEMORANDUM in Support of Supplemental/Amendment filed by Mark A. White. eod 10/02/08 [TRG]

10/15/2008 MOTION for Leave to Withdraw Motion to Modify Sentence Under 18:3582 without prejudice, filed by Defendant. c/s eod 10/16/08 [TRG]

10/31/2008 ORDER - GRANTING Defendant's Motion for Leave to Withdraw Motion to Modify Sentence Under 18:3582 Without Prejudice. LJM c/m eod 11/03/08 [TRG]

12/11/2008 ORDER DENYING MOTION TO REDUCE SENTENCE RE CRACK COCAINE OFFENSE - 18:3582 eod 12/12/08 [TRG]

12/11/2008 OBV 42 PG 160 eod 12/12/08 [TRG]

03/06/2009 ENTRY DENYING Motion for Relief pursuant to 28 U.S.C. Section 2255 and directing entry of judgment. (S.E.) cm LJM eod 03/06/09 [MAC]

03/06/2009 JUDGMENT - pursuant to Entry the movant shall take nothing by his Motion for Relief; civil action docketed as No. 1:08-cv-30-LJM-DML is DISMISSED with prejudice. cm LJM OBV 43 PG 26 eod 03/06/09 [MAC]

04/13/2004 ENTRY DENYING Motion for Relief, pursuant to 28 U.S.C. 2255. cm LJM (1:04-cv-00071, docketed out of order). eod 06/08/10 [SH]

04/13/2004 JUDGMENT pursuant to Entry, cause is DISMISSED without prejudice. (1:04-cv-00071, docketed out of order). OBV 44 PG 83 eod 06/08/10 [SH]

07/27/2010 MOTION for permission by the District Court in the filing of a late notice of appeal pursuant to 28 U.S.C. Sec. 3742(A)(1), seeking a review of Sentence, filed by pro se deft. eod 07/28/10 [TMA]

08/02/2010 ENTRY - motion for permission to file a late notice of appeal is DENIED eod 08/02/10 [REO]

12/17/2010 ORDER Directing Clerk to Transfer Action to CM/ECF System. LJM c/m. eod 12/17/10 [REO]

12/17/2010 ***Case administratively moved to the court's CM/ECF system under the same cause number. No further entries shall be made in JAMS.*** eod 12/17/10 [REO]

05/12/2015 REASSIGNED from Mag FOSTER to Mag DINSMORE (dis) eod 05/12/15 [DH]

USDC Southern Indiana -JAMS data-

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***** PUBLIC DOCKET *****

APPEAL,MANDATE,CLOSED

**U.S. District Court
Southern District of Indiana (Indianapolis)
CRIMINAL DOCKET FOR CASE #: 1:98-cr-00038-LJM-MJD-3**

Case title: USA v. SPRADLEY et al

Date Filed: 03/10/1998

Date Terminated: 12/10/1999

Assigned to: Judge Larry J. McKinney
Referred to: Magistrate Judge Mark J.
Dinsmore

Appeals court case number: 14-2138 -
Mandate 7th Circuit

Defendant (3)**MARK WHITE***TERMINATED: 12/10/1999*

agent of
MILK D

TERMINATED: 12/10/1999

agent of
RAT

TERMINATED: 12/10/1999

agent of

DEMARCO BLACK*TERMINATED: 12/10/1999*represented by **William H. Dazey , Jr.**

INDIANA FEDERAL COMMUNITY
DEFENDERS

111 Monument Circle

Suite 2150

Indianapolis, IN 46204

(317) 383-3520

Fax: (317) 383-3525

Email: bill.dazey@fd.org

*TERMINATED: 07/10/2015***ATTORNEY TO BE NOTICED***Designation: Public Defender or**Community Defender Appointment***Pending Counts**

21:841A=CD.F CONTROLLED
SUBSTANCE - SELL, DISTRIBUTE,
OR DISPENSE

(1)

18:1956-4999.F MONEY
LAUNDERING - FRAUD, OTHER

(7)

18:1956-4999.F MONEY
LAUNDERING - FRAUD, OTHER

(8s)

18:1956-4999.F MONEY

Disposition

LAUNDERING - FRAUD, OTHER
(22)

Highest Offense Level (Opening)

Felony

Terminated Counts

TAMPER W/WITNESS, VICTIM,
INFORMANT (IF DEATH RESULTS)
(2)

RETALIATING AGAINST WITNESS,
VICTIM
(3)

VIOLENT
CRIME/DRUGS/MACHINE GUN
(4)

MONEY LAUNDERING -
CONTROLLED SUBSTANCE -
SELL/DISTR/DISP
(13)

Disposition

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Matthew P. Brookman**
UNITED STATES ATTORNEY'S
OFFICE - EV
101 NW Martin Luther King, Jr. Blvd.
Suite 250
Evansville, IN 47708
(812) 465-6475
Fax: (812) 465-6444
Email: Matthew.Brookman@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Melanie C. Conour
UNITED STATES ATTORNEY'S
OFFICE
10 West Market Street

Suite 2100
 Indianapolis, IN 46204
 (317) 226-6333
 Fax: (317) 226-5953
 Email: melanie.conour@usdoj.gov
TERMINATED: 08/17/2015
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Date Filed	#	Docket Text
03/10/1998	<u>1</u>	JAMS DOCKET as to MARK WHITE: *** This case was previously maintained in the court's Judicial Automated Management System (JAMS). Pursuant to the court's order dated 12/17/2010, the docket is now transferred to the court's electronic case management system (CM/ECF) *** (Attachments: # <u>1</u> Transfer Order) (REO) Modified on 12/22/2010 (REO). (Entered: 12/22/2010)
11/04/2011	<u>4</u>	Letter from Mark White regarding reduction of sentence DEFT-Pro Se (CBU) (Entered: 11/07/2011)
04/05/2012	<u>12</u>	Letter from Mark White addressed to the Financial Litigation Agent regarding payment due to the judgment (CBU) (Entered: 04/05/2012)
05/31/2013	<u>17</u>	MOTION to Appoint Counsel by MARK WHITE. (TMA) (Entered: 06/03/2013)
05/31/2013	<u>18</u>	MOTION to proceed in forma pauperis, filed by MARK WHITE. (Attachments: # <u>1</u> Trust Fund Account Information) (TMA) (Entered: 06/03/2013)
05/31/2013	<u>19</u>	Submission of Application for Certification of Appealability, by MARK WHITE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (TMA) (Entered: 06/03/2013)
05/31/2013	<u>20</u>	Submission of Docketing Statement, by MARK WHITE. (TMA) (Entered: 06/03/2013)
10/04/2013	<u>21</u>	MOTION for Copies by MARK WHITE. (Attachments: # <u>1</u> Envelope)(SWM) (Entered: 10/07/2013)
03/28/2014	<u>22</u>	Inquiry regarding case from Mark A. White. (Attachments: # <u>1</u> Envelope) (SWM) (Entered: 03/31/2014)
05/08/2014	<u>23</u>	ORDER - The request to proceed in forma pauperis [dkt <u>18</u>] and the motion for attorney representation [dkt <u>17</u>], filed by MARK WHITE (3), are each denied as inapt to the filing discussed in Part I of this Entry. ***SEE ORDER***. Signed by Judge Larry J. McKinney on 5/8/2014. (copy to Mark White via US Mail) (JKS) (Entered: 05/08/2014)
05/21/2014	<u>24</u>	RESPONSE re <u>23</u> Order, by MARK WHITE. (Attachments: # <u>1</u> Envelope) (JKS) (Entered: 05/22/2014)

05/21/2014	25	NOTICE OF APPEAL by MARK WHITE re 23 Order. (No fee paid with this filing) (JKS) (Additional attachment(s) added on 5/22/2014: # 1 Envelope) (JKS). (Entered: 05/22/2014)
05/22/2014	26	SEVENTH CIRCUIT APPEAL INFORMATION SHEET as to MARK WHITE re 25 Notice of Appeal - Instructions for Attorneys - Parties' Short Record, Instructions, and Designation of Record information attached. (A paper copy of the Short Record was sent on 5/22/2014 to the defendant, via US Mail, at <i>FCI Terre Haute</i>) (LBT) (Entered: 05/22/2014)
05/22/2014	27	Transmission of Notice of Appeal and Docket Sheet as to MARK WHITE to US Court of Appeals re 25 Notice of Appeal. - for Court of Appeals Use Only. (LBT) (Entered: 05/22/2014)
05/22/2014	28	USCA Case Number 14-2138 for 25 Notice of Appeal filed by MARK WHITE. (Attachments: # 1 Circuit Rule 3(b) Notice)(JLM) (Entered: 05/23/2014)
06/03/2014	29	ENTRY Directing Further Proceedings in case as to MARK WHITE (3) - The defendant renews his request for the issuance of a certificate of appealability. The defendant shall have through July 2, 2014, in which to supplement his renewed request. The defendant shall have through July 2, 2014 in which to supplement his filing of May 21, 2014 by re-stating with clarity what, if any, relief from his conviction and sentence he now seeks from the trial court and the basis on which he contends that such relief could be granted. He is notified that a request for relief within the scope of 28 U.S.C. § 2255 will be treated as such a request, regardless of the label attached to the filing or filings. Signed by Judge Larry J. McKinney on 6/3/2014. (copy to Mark White via US Mail) (JKS) **Copy emailed to USCA via #14-2138.** Modified on 6/4/2014 (JLM). (Entered: 06/03/2014)
06/04/2014	30	MOTION for Leave to Appeal In Forma Pauperis by MARK WHITE. (Attachments: # 1 IFP filed in 2013, # 2 Inmate Account History, # 3 USCA Order Transferring IFP to District Court)(LBT) (Entered: 06/05/2014)
06/10/2014	31	ORDER denying 30 Defendant's Motion for Leave to Appeal In Forma Pauperis (USCA #14-2138) as to MARK WHITE (3). Signed by Judge Larry J. McKinney on 6/10/2014. (copy to Mark White via US Mail) (JKS) (Entered: 06/10/2014)
07/02/2014	32	RESPONSE, re 29 Entry filed by MARK WHITE. (Attachments: # 1 Exhibit C - Entry, # 2 Envelope)(DW) (Entered: 07/03/2014)
09/22/2014	33	MANDATE of USCA (certified copy) as to MARK WHITE re 25 Notice of Appeal (USCA #14-2138) - Mark White filed a petition for rehearing of this court's order denying his application for leave to file a successive collateral attack. This court is not authorized to consider White's motion, 28 U.S.C. § 2244(b)(3)(E), which shall be filed without further action by the court. In denying his application just two weeks ago, we warned White that continuing to file frivolous papers would result in sanctions in accordance with <i>Alexander v. United States</i> , 121 F.3d 312 (7th Cir 1997). But White has done just that, continuing to raise the same challenge to his conviction under <i>Crawford v. Washington</i> , 541 U.S. 36 (2004), that he has raised in five previous collateral attacks. Accordingly, we now impose the following SANCTION: White is

		<p>fined \$500. Until he pays that sum in full to the clerk of this court, he is barred from filing further civil suits in the courts of this circuit, in accordance with Support Systems International v. Mack, 45 F.3d 185 (7th Cir. 1995). Any papers he submits attacking his current criminal judgment, including further collateral attacks, shall be returned unfiled and any applications for leave to file collateral attacks will be deemed denied on the 30th day unless the court orders otherwise. (JLM) (Entered: 09/22/2014)</p>
01/08/2015	34	<p>MOTION for court to consider issues by MARK WHITE. (Attachments: # 1 Seventh Circuit Case Search and Entry)(DW) (Entered: 01/09/2015)</p>
01/09/2015	35	<p>ENTRY AND NOTICE as to MARK WHITE (03). Defendant White sought the issuance of a certificate of appealability. He was instructed to identify the "final adverse order" as to which he seeks such a certificate. He has not done so. Through his filing of July 2, 2014, however, he insists that a certificate of appealability can and should be issued. That is not the case and his request for a certificate of appealability is denied. The reason for this ruling is that a certificate of appealability can be considered in conjunction with the denial of a motion for relief pursuant to 28 U.S.C. § 2255, but that matter here has long since been laid to rest. Additionally, the Court of Appeals' Order of September 22, 2014 in No. 14-2138 prohibits White from making or pursuing this and similar requests. Therefore, any relief which can be thought as being requested on the basis of filings heretofore made is denied. Signed by Judge Larry J. McKinney on 1/9/2015. Copy sent to Defendant via U.S. Mail. (BGT) (Entered: 01/12/2015)</p>
01/13/2015	37	<p>ORDER as to MARK WHITE (3): The defendant's motion for consideration [dkt 34] is denied in light of the Entry docketed on January 12, 2015 confirming his non-entitlement to a certificate of appealability and the effect of the September 22, 2014 Order of the Court of Appeals in No. 14-2138. The motion referred to herein should not have been tendered and should not have been filed. Further attempts to file motions for reconsideration will be denied. Signed by Judge Larry J. McKinney on 1/13/2015. Copy sent via US Mail.(DW) (Entered: 01/13/2015)</p>
03/02/2015	39	<p>MOTION to Reduce Sentence - USSC Amendment 782 by MARK WHITE. (AH) (Entered: 03/05/2015)</p>
05/07/2015	40	<p>ORDER TO SHOW CAUSE as to MARK WHITE (03): The Court acknowledges receipt of Defendant Mark White's ("Defendant's") Motion to Reduce Sentence pursuant to 18 U.S.C. § 3582(c)(2) under the terms of Amendment 782 to the United States Sentencing Commission guideline ("Amendment 782") ("Defendant's 782 Motion"). Defendant shall have 21 days from the date of this Order to supplement his 782 Motion with reasons why the section 3553(a) factors weigh in favor of reducing Defendant's sentence. The United States of America shall have 14 days thereafter to respond. This Order should not be construed as a ruling or comment on the merits or sufficiency of Defendant's 782 Motion (see Order for additional information). Copy to Plaintiff via US Mail. Signed by Judge Larry J. McKinney on 5/7/2015. (SWM) (Entered: 05/07/2015)</p>
05/12/2015	43	<p>Reassignment of Case to Magistrate Judge Mark J. Dinsmore. Magistrate Judge</p>

		Kennard P. Foster no longer assigned to the case. Please include the new case number (1:98-cr-038-LJM-MJD), which includes the initials of the newly assigned judge, on all future filings in this matter. (DJH) (Entered: 05/12/2015)
05/18/2015	46	RESPONSE to Court's Order to Show Cause, filed by MARK WHITE (3) (Attachments: # 1 Envelope)(SWM) (Entered: 05/19/2015)
05/26/2015	47	RESPONSE in Opposition re 39 MOTION to Reduce Sentence - USSC Amendment 782 by USA as to MARK WHITE (3) (Conour, Melanie) (Entered: 05/26/2015)
06/08/2015	49	SUPPLEMENT re 46 RESPONSE to Court's Order to Show Cause by MARK WHITE (3). (Attachments: # 1 Envelope)(DW) (Entered: 06/09/2015)
07/14/2015	54	ORDER denying Defendant's 39 Motion to Reduce Sentence - USSC Amendment 782 for 1 as to MARK WHITE (3). Signed by Judge Larry J. McKinney on 7/14/2015. Copy sent to Defendant via U.S. Mail. (BGT) (Entered: 07/14/2015)
08/06/2015	56	MOTION for Reconsideration of Court's 54 ORDER denying Defendant's 39 Motion to Reduce Sentence - USSC Amendment 782 by MARK WHITE (3). Certificate of Service. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Envelope) (BGT) (Entered: 08/07/2015)
08/12/2015	57	ORDER denying Defendant's 56 Motion for Reconsideration of the Court's Order denying his Motion for Reduction in Sentence pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 782 to the U.S. Sentencing Commission Guidelines ("782 Motion") as to MARK WHITE (3). Signed by Judge Larry J. McKinney on 8/12/2015. Copy sent to Defendant via U.S. Mail. (BGT) (Entered: 08/12/2015)
08/21/2015	61	NOTICE OF APPEAL by MARK WHITE (3) re 54 Order on Motion to Reduce Sentence - USSC Amendment 782 and 57 Order on Motion for Reconsideration. No Certificate of Service. (No fee paid with this filing) (Attachments: # 1 Envelope) (BGT) (Entered: 08/24/2015)

Case #: 1:98-cr-00038-LJM-MJD-3